

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

AGENDA

6:30 P.M. – Citizen Academy Graduation

REGULAR MEETING

June 12, 2017

1. ROLL CALL
2. INVOCATION – Reverend Donnie Akers, Eastside Mission Church
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summary of the regular meeting of Council held on May 22, 2017, as recorded and transcribed.
5. CONSENT AGENDA
 - A. Acceptance of the Motion Summary for the Shade Tree Commission meeting held April 25, 2017.
 - B. Acceptance of the Motion Summary for the Historic Preservation Commission meeting held February 22, 2017.
 - C. Acceptance of the Records Commission meeting held July 10, 2013.
 - D. Acceptance of the Motion Summary for the Planning Commission meeting held May 3, 2017.
 - E. Resolution No. 17-34, a resolution appointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments.
6. LETTERS, PETITIONS, AND PUBLIC COMMENTS
7. COMMITTEE REPORTS
8. CONSIDERATION OF NEW LIQUOR PERMITS
 - A. ALDI Inc. Ohio, DBA ALDI, 973 Sunbury Road, Delaware, OH 43015. Permit Classes: C1 and C2.
9. DISCUSSION of Designated Outdoor Refreshment Area (DORA)

10. PRESENTATION
A. David McCorkle – Economic Development Manager, City of Worthington
11. SECOND READING of Ordinance No. 17-37, an ordinance amending the 2017 Appropriations Ordinance to provide funding for professional services to complete an update to the City’s current Comprehensive Plan.
12. CONSIDERATION of Resolution No. 17-35, a resolution of no objection to the expansion of the Concord/Scioto Community Authority, a New Community Authority under Chapter 349 of the Ohio Revised Code.
13. CONSIDERATION of Ordinance No. 17-38, an ordinance approving a Community Reinvestment Area Agreement and School Compensation Agreement with Kirby Ventures, LLC, Oak and Brazen, LLC, Delaware City Schools, Delaware Area Career Center and the City of Delaware for investment in real property improvements on a building at 38 East Winter Street, and declaring an emergency.
14. CONSIDERATION of Ordinance No. 17-39, an ordinance amending the 2017 Appropriations Ordinance to provide funding for an American Electric Power Grant to complete a sign plan and bid documents for a replacement industrial park sign approximately at Pittsburgh Drive and London Road.
15. CONSIDERATION of Ordinance No. 17-40, an ordinance supplementing the 2017 Appropriations Ordinance to provide additional funding for Engineering Wages, and declaring an emergency.
16. CONSIDERATION of Ordinance No. 17-41, an ordinance amending the Delaware Municipal Court and Clerk of Court Employee Benefits and Leave Policies.
17. CONSIDERATION of Ordinance No. 17-42, an ordinance amending the Management, Professional, Technical, Confidential, and Supervisory Employees Pay Plan.
18. CONSIDERATION of Ordinance No. 17-43, an ordinance for Pulte Homes approving a Final Development Plan for The Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located south of Cheshire Road on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane.

19. CONSIDERATION of Ordinance No. 17-44, an ordinance for Pulte Homes approving a Final Subdivision Plat for The Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located south of Cheshire Road on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane.
20. CONSIDERATION of Ordinance No. 17-45, an ordinance for Glenn Road Capital LLC., approving a Preliminary Development Plan for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane.
21. CONSIDERATION of Ordinance No. 17-46, an ordinance for Glenn Road Capital LLC., approving a Final Development Plan for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane.
22. CONSIDERATION of Ordinance No. 17-47, an ordinance for Glenn Road Capital LLC., approving a Preliminary Subdivision Plat for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane.
23. CONSIDERATION of Ordinance No. 17-48, an ordinance for Glenn Road Capital LLC., approving a Final Subdivision Plat for Belmont Place Section 4 for 34 single family lots on 10.426 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop and Squaregaiter Lane.
24. **EXECUTIVE SESSION:** pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance.
25. CITY MANAGER'S REPORT
26. COUNCIL COMMENTS

27. ADJOURNMENT

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Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-6094 FORM NO. 10148

Held May 22 20 17

6:30 EXECUTIVE SESSION: Mr. Rohrer motioned to enter into executive session at 6:31 p.m. This motion was seconded by Vice-Mayor Shafer and approved by a 5-0 vote. Council met in executive session pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance. Council conducted a discussion of those items with the following members present: First Ward Chris Jones, Second Ward Lisa Keller (arrived at 6:36 p.m.), Fourth Ward Kyle Rohrer, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle. Following the discussion at 6:55 p.m., it was moved by Vice-Mayor Shafer that Council move into Open session, seconded by Mr. Jones and approved by a 6-0 vote.

The regular meeting of Council held May 22, 2017 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 Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle who presided. Mr. Shulman swore in Third Ward Appointee, Jim Browning. The invocation was given by Ma Shivanda, with the Nithyanandeshwara Hindu Temple, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Dean Stelzer, Finance Director, Dave Efland, Planning and Community Development Director, Bruce Pijanowski, Police Chief, Bill Ferrigno, Public Works Director/City Engineer, Ted Miller, Parks and Natural Resource Director, and Tom Homan, City Manager

ITEM 5: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held May 8, 2017, as recorded and transcribed.

APPROVAL of the Motion Summary of the special meeting of Council held May 15, 2017, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held May 8, 2017, as recorded and transcribed, and the special meeting of Council held May 15, 2017, as recorded and transcribed, seconded by Mr. Rohrer. Motion approved by a 7-0 vote.

ITEM 6: CONSENT AGENDA

A. Resolution No. 17-31, a resolution authorizing the City Manager to submit a grant application to the Federal Aviation Administration and the Ohio Department of Transportation, and to enter into required agreements for the resurfacing of Taxiway 'A'.

Motion: Mrs. Keller motioned to approve the Consent Agenda, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 7: LETTERS, PETITIONS, AND PUBLIC COMMENTS

PUBLIC COMMENT:

Susie Bibler

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BEAR GRAPHICS 600-325-8094 FORM NO. 10148

Held May 22 20 17

Main Street Delaware, Executive Director
20 East William Street
Delaware, Ohio 43015

Ms. Bibler informed Council that the City of Delaware was being awarded the Downtown Ambiance Award.

ITEM 8: COMMITTEE REPORTS

Mr. Rohrer informed Council of the upcoming Historic Preservation Commission meeting that will be held May 25, 2017.

ITEM 9: ORDINANCE NO. 17-29 [Third Reading]

AN ORDINANCE REPEALING AND REPLACING SECTION 929 OF THE CITY OF DELAWARE STREETS, UTILITIES, AND PUBLIC SERVICES CODE ESTABLISHING GENERAL RULES AND REGULATIONS FOR THE COLLECTION OF REFUSE.

The Clerk read the ordinance for the third time.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 17-29, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

ITEM 10: ORDINANCE NO. 17-31 [Second Reading]

AN ORDINANCE AMENDING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR COMPLETING A MULTI-USE TRAIL EXTENSION ON THE SPRINGFIELD BRANCH TRAIL, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 17-31, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to enact the emergency clause for Ordinance No. 17-31, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 17-31, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 17-32 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING AN AMENDMENT TO CHAPTER 1111 SUBDIVISION REGULATIONS OF THE PLANNING AND ZONING CODE PERTAINING TO ACCEPTANCE OF PUBLIC IMPROVEMENTS AND BONDING.

The Clerk read the ordinance for the second time.

There was no public comment.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 17-32, seconded by Mr. Hellinger. Motion approved by a 6-1 (Keller) vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 17-32, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

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Held May 22 20 17

ITEM 12: ORDINANCE NO. 17-33 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A STREET VACATION OF STRATFORD DRIVE FOR COUGHLIN'S CROSSING ENCOMPASSING APPROXIMATELY 77.102 ACRES ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED EAST OF US 23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

PUBLIC COMMENT:

Jeanine Ruffing
1960 Stratford Road
Delaware, Ohio

Ms. Ruffing requested information regarding the location of the sewer and reported high grass.

Susan McGrail
268 Sylvan Drive
Delaware, Ohio

Ms. McGrail requested information on the location of the utilities and transformer boxes.

Jean Ball
1989 Stratford Road
Delaware, Ohio

Ms. Ball requested clarification on green space and the changes to the curve in the roads.

Barbara Martin
1901 Stratford Road
Delaware, Ohio

Ms. Martin requested information on the asphalt material that would be used and recommended permeable asphalt to reduce runoff.

APPLICANT:

Connie Klema
P.O. Box 991
Pataskala, Ohio

Ms. Klema informed Council that she had hired someone to mow the area and would follow up with them. Ms. Klema discussed the asphalt materials that would be used throughout the development and provided information on the curvature to the roads.

Motion: Mr. Hellinger moved to suspend the rules for Ordinance No. 17-33, seconded by Mr. Browning. Motion approved by a 7-0 vote.

Motion: Mr. Hellinger moved to adopt Ordinance No. 17-33, seconded by Mr. Browning. Motion approved by a 7-0 vote.

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Held May 22 20 17

ITEM 13: ORDINANCE NO. 17-34 [Second Reading] AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR COUGHLIN'S CROSSING ENCOMPASSING APPROXIMATELY 77.102 ACRES ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED EAST OF US 23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

Motion: Mr. Hellinger moved to suspend the rules for Ordinance No. 17-34, seconded by Mr. Browning. Motion approved by a 7-0 vote.

Motion: Mr. Hellinger moved to adopt Ordinance No. 17-34, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 14: ORDINANCE NO. 17-35 [Second Reading] AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR COUGHLIN'S CROSSING PHASE 1 (INFRASTRUCTURE) ENCOMPASSING APPROXIMATELY 77.102 ACRES ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED EAST OF US 23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

Motion: Mr. Hellinger moved to suspend the rules for Ordinance No. 17-35, seconded by Mr. Browning. Motion approved by a 7-0 vote.

Motion: Mr. Hellinger moved to adopt Ordinance No. 17-35, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 15: RESOLUTION NO. 17-20 [Fifth Reading] A RESOLUTION ACCEPTING THE CITY OF DELAWARE'S BIKE MASTER PLAN 2025.

The Clerk read the resolution for the fifth time.

PUBLIC COMMENT:

Angie Clark
2218 Johnston Road
Raymond, Ohio

Ms. Clark voiced a safety concern regarding her Grandmother's property that is located at 1706 Marysville Road with the multi-use trail at the Delaware Run.

Susan McGrail
268 Sylvan Drive
Delaware, Ohio

Ms. McGrail requested a connection of a trail from the Speedway to the Bruce Road Path.

Wendell Patton
86 Delaware Crossing
Delaware, Ohio

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Held May 22 20 17

Mr. Patton voiced opposition to the trail at the Delaware Run and concerns of accessibility to the City to access the trail. Mr. Patton voiced concerns regarding the affects to the wildlife in the area.

Brian Horner
431 West 8th Street
Marysville, Ohio

Mr. Horner voiced opposition to the trail at the Delaware Run and concerns over his Grandmothers property.

Motion: Mr. Hellinger moved to adopt Resolution No. 17-20, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 16: RESOLUTION NO. 17-32 [First Reading]
A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT OVERTIME REIMBURSEMENT THROUGH THE FFY 2018 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)/IMPAIRED DRIVING ENFORCEMENT PROGRAM (IDEP) GRANT.

The Clerk read the resolution for the first time.

Motion: Mr. Rohrer moved to adopt Resolution No. 17-32, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 17: RESOLUTION NO. 17-33 [First Reading]
A RESOLUTION AMENDING THE 2017-2021 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM.

The Clerk read the resolution for the first time.

Motion: Vice-Mayor Shafer moved to adopt Resolution No. 17-33, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

ITEM 18: ORDINANCE NO. 17-37 [First Reading]
AN ORDINANCE AMENDING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR PROFESSIONAL SERVICES TO COMPLETE AN UPDATE TO THE CITY'S CURRENT COMPREHENSIVE PLAN.

The Clerk read the ordinance for the first time.

Council in agreement to go to a second reading for Ordinance 17-37.

ITEM 19: FINANCE DIRECTOR'S REPORT

ITEM 20: CITY MANAGER'S REPORT

Mr. Homan discussed the input that was received regarding the Art's Festival that was held the weekend of May 21 and May 22.

Mr. Homan provided information to Council of the opening of the Spray and Play and Jack Florence Pool.

Information was provided to Council on the upcoming New Moon Marathon.

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BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held May 22 2017

ITEM 21: COUNCIL COMMENTS

Vice-Mayor Shafer requested information on permitting a designated outdoor refreshment area in the downtown area.

Mr. Jones requested an update on negotiations regarding a new JEDD.

ITEM 22: ADJOURNMENT

Motion: Vice-Mayor Shafer moved to adjourn the meeting, seconded by Mayor Riggle. The meeting adjourned at 8:26 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

SHADE TREE COMMISSION
April 25, 2017
MOTION SUMMARY

ITEM 1. Roll Call

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

Members Present: Jim Buck, Dave Carey, Tom Glissman, Marisa Sulek, Tom Wolber, Becki Wood-Meek, Vice-Chairwoman Susan Wright, and Chairman Paul Olen

Members Absent: Shannon Brewster

Staff Present: Linda Mathews (Customer Service Liaison), Doug Richmond (City Arborist), Ted Miller (Parks and Natural Resource Director)

Motion to Excuse: Chairman Olen moved to excuse Ms. Brewster, seconded by Vice-Chairwoman Wright. Motion approved with an 8-0 vote.

ITEM 2. APPROVAL OF MOTION SUMMARY of Shade Tree Commission meeting of March 28, 2017 as recorded and transcribed.

Motion: Vice-Chairwoman Wright moved to approve the Motion Summary for the March 28, 2017 meeting, seconded by Mr. Buck. Motion approved with an 8-0 vote.

ITEM 3. PUBLIC COMMENTS

ITEM 4. DISCUSSION of Community Outreach Programs

A. Arbor Day/Healthy Kids Day

Vice-Chairwoman Wright provided a sign-up sheet for volunteers at the events. A discussion was held regarding the schedule of events and tree planting ceremony.

B. First Friday

A discussion was held on activities for the May 5, 2017 First Friday Main Street Delaware event, and passing out tree saplings and information during the event. Vice-Chairwoman Wright reviewed the schedule for participants.

C. NOW Festival

Chairman Olen requested that this discussion be continued at the May 23, 2017 Shade Tree Commission meeting.

ITEM 5. DISCUSSION of Shade Tree Commission Composition

A discussion was held regarding the non-voting member of the board.

ITEM 6. ARBORIST REPORT

Mr. Richmond reviewed the Arborist Report and the removal of four trees by a contractor. Mr. Richmond updated the Commission on tree pruning status and the tree back log. A discussion was held regarding volcano mulching.

ITEM 7. STAFF COMMENTS

Mr. Miller reviewed the recent Tree City U.S.A. event and provided examples of signage to show the monetary economical value of a tree.

ITEM 8. MEMBER COMMENTS

Mr. Glissman informed staff that approximately three spruce trees were removed at the Columbia Gas site along Pittsburgh Drive.

Mr. Glissman discussed the potential to look at trees to be planted in different areas throughout the city that attract honey bees.

Mr. Wolber provided an update on the annual report that was present to City Council at the April 24, 2017 meeting.

Mr. Wolber informed the Commission that Mayor Riggle suggested the planting of Cherry Tree's in the downtown area in honor of the Sister City relationship with Sakata, Japan.

Mr. Wolber discussed the developer's obligation to maintain landscape plans and discussed the balance between ecological conservation and economic development.

Vice-Chairwoman Wright discussed the possibility of having a future meeting at an on-site location to tour the greenhouse.

ITEM 9. PLAN REVIEWS

A. Coughlin Crossing Tree Replacement Plan - approved as submitted

ITEM 10. ADJOURNMENT

Motion: Chairman Olen moved to adjourn the meeting, seconded by Mr. Wolber.
The Shade Tree Commission meeting adjourned at 8:27 p.m.

Paul M. Olen 5.23.17
Chairman Olen

James M. Clarke
Clerk

**HISTORIC PRESERVATION COMMISSION
MOTION SUMMARY
February 22, 2017**

ITEM 1. Roll Call

Chairman Koch called the Historic Preservation Commission meeting to order at 7:02 p.m.

Members Present: James Kehoe, Erinn Nicley, Sherry Riviera, Councilman Kyle Rohrer, Vice-Chairman Mark Hatten, and Chairman Roger Koch

Members Absent: Joe Coleman

Motion to Excuse: Councilman Rohrer moved to excuse Mr. Coleman, seconded by Vice-Chairman Hatten. Motion approved by a 6-0 vote.

Staff Present: Dianne Guenther, Development Planner

ITEM 2. APPROVAL OF MOTION SUMMARY of the Historic Preservation Commission meeting held on November 30, 2016, as recorded and transcribed.

Motion: Vice-Chairman Hatten moved to approve the Motion Summary of the Historic Preservation Commission meeting held on November 30, 2016, as recorded and transcribed, seconded by Ms. Riviera. Motion approved a by 6-0 vote.

ITEM 3. ELECTION OF OFFICERS

Motion: Councilman Rohrer moved to nominate Mr. Koch as Chairman, seconded by Mr. Hatten. There were no other nominations. Motion approved by a 6-0 vote.

Motion: Chairman Koch moved to nominate Mr. Hatten as Vice-Chairman, seconded by Mr. Nicley. There were no other nominations. Motion approved by a 6-0 vote.

ITEM 4. REGULAR BUSINESS

- A. 2016-3015: A request by Manos Properties-9 N Sandusky Street LLC for a Certificate of Appropriateness for renovation of the rear addition of 9 North Sandusky Street which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay (Tabled 10/26/16)

Ms. Guenther notified the Commission that the applicant is no longer pursuing the project.

Motion: Mr. Nicley moved to remove 2016-3015 from the agenda, seconded by Councilman Rohrer. Motion approved by a 6-0 vote.

- B. Informal Review: A request by Olivina Taproom for an informal review of a proposed security gate at 44 South Sandusky Street which is zoned B-2 (Central Business District) and located in the Downtown Core of the Downtown Historic District Overlay.

Ms. Guenther provided background information on the property. Ms. Guenther discussed the applicant's request for a security gate across the storefront opening due to continued incidents of graffiti, littering, and acts of public intoxication from passers-by.

APPLICANT:

Chris Schobert
44 South Sandusky Street
Delaware, Ohio 43015

Mr. Schobert discussed problems that have occurred in the alcove area of the front of his business, the Olivina Taproom. Mr. Schobert reported continued incidents of graffiti, littering, and acts of public intoxication from passers-by in the alcove despite security cameras and security lighting.

A discussion was held on code regulations for the security gate and lock design modifications.

A discussion was held with the Commission regarding the precedence that the security gate across the storefront opening could create in the downtown area. Chairman Koch recommended that Mr. Schobert discuss with the building owner the option to build a new wall frame and new entry door at the alcove entrance.

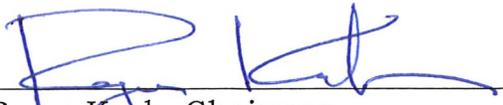
ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

A discussion was held regarding the patio design for the Hamburger Inn. Ms. Guenther informed the Commission that Staff is starting the annual sidewalk use permit process, and that Staff has a meeting set with the owner for discussion.

ITEM 6. NEXT REGULAR MEETING: March 22, 2017

ITEM 7. ADJOURNMENT

Motion: Mr. Nicley moved to adjourn the meeting, seconded by Mr. Kehoe. The Historic Preservation Commission meeting adjourned at 7:48 p.m.



Roger Koch, Chairman



Elaine McCloskey, Clerk

Records Commission
Motion Summary
July 10, 2013

Members Present: City Manager Tom Homan, City Attorney Darren Shulman, April Nelson, Finance Director Dean Stelzer, and Executive Assistant Michele Kohler

Meeting was called to order by Chairman Tom Homan at 2:30 p.m.

1. Approval of the Motion Summary of the December 1, 2010 meeting as recorded and transcribed.

MOTION: Ms. Nelson moved to approve the minutes as to form since it has been couple years since we have met. Seconded by Chairman Homan. All in favor. Motion passed by 4-0 vote.

2. Review of Changes to the current Schedules of Retention and Disposition Certificates

MOTION: Mr. Nelson moved to approve the Schedules of Retention and Disposition Certificates as presented by the City Attorney. Seconded by Mr. Stelzer. All in favor. Motion passed by 4-0 vote.

3. Review and Approve Schedule of Copy Costs

MOTION: Mr. Stelzer moved to recommend the Schedule of Copy Costs to be included in the Fee Ordinance to be presented to City Council. Seconded by Ms. Nelson. All in favor. Motion passed by 4-0 vote.

4. Next Meeting Date: October 23, 2013 at 2:30 p.m.

Members agreed to meet on the proposed date.

5. Adjournment

Chairman Homan adjourned the meeting at 2:50 p.m.



Tom Homan, Chairman



Clark

PLANNING COMMISSION
May 3, 2017
MOTION SUMMARY

ITEM 1. Roll Call

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

Members Present: Robert Badger, Jim Halter, Dean Prall, Andy Volenik, Councilmember George Hellinger, Vice-Chairman George Mantzoros, and Chairman Stacy Simpson.

Staff Present: Matt Weber, Deputy City Engineer, Carrie Fortman, Project Engineer, Lance Schultz, Zoning Administrator, and Dave Efland, Planning and Community Development Director

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on April 5, 2017, as recorded and transcribed.

Motion: Mr. Prall moved to approve the Motion Summary for April 5, 2017 meeting, seconded by Vice-Chairman Mantzoros. Motion approved 7-0 vote.

ITEM 3. REGULAR BUSINESS

A. Coughlin's Crossing

- (1) 2017-0689: A request by Delaware Development Plan LTD for approval of a Final Development Plan for Coughlin's Crossing Phase 1 (infrastructure) encompassing approximately 77.102 acres zoned A-1 PMU (Agricultural District with a Planned Mixed Use Overlay District) and located east of US 23, west of Stratford Road and north of Meeker Way.
- (2) 2017-0691: A request by Delaware Development Plan LTD for approval of a Final Subdivision Plat for Coughlin's Crossing encompassing approximately 77.102 acres zoned A-1 PMU (Agricultural District with a Planned Mixed Use Overlay District) and located east of US 23, west of Stratford Road and north of Meeker Way.
- (3) 2017-0692: A request by Delaware Development Plan LTD for approval of a Street Vacation of Stratford Drive for Coughlin's Crossing encompassing approximately 77.102 acres zoned A-1 PMU (Agricultural District with a Planned Mixed Use Overlay District) and located east of US 23, west of Stratford Road and north of Meeker Way.

Anticipated Process

a. Staff Presentation

Mr. Schultz reviewed the Approved Preliminary Development Plan and discussed the Street Vacation procedures. Mr. Schultz reviewed the proposed

landscape plans and designated open space and preservation areas. A discussion was held regarding the additional traffic signal. Mr. Weber informed the Commission that the additional signal will be located at Hawthorne Blvd. A discussion was held regarding landscape requirements and the tree replacement scheduled plan.

b. Applicant Presentation

APPLICANT:

Connie Klema
P.O Box 991
Pataskala, Ohio

Ms. Klema reviewed the efforts to meet with neighbors to provide updates regarding the development and tree replacement.

c. Public comment (not a public hearing)

There was no public comment.

d. Commission Action

Motion: Mr. Prall moved to approve 2017-0689, along with all staff recommendations and conditions, seconded by Mr. Badger. Motion approved by a 7-0 vote.

Motion: Mr. Prall moved to approve 2017-0691, along with all staff recommendations and conditions, seconded by Mr. Badger. Motion approved by a 7-0 vote.

Motion: Mr. Prall moved to approve 2017-0692, along with all staff recommendations and conditions, seconded by Mr. Badger. Motion approved by a 7-0 vote.

B. 2017-0731: A request by Treplus Communities for a Concept Plan Review for Burr Oak Commons on approximately 20.06 acres zoned B-3 (Community Business District) located on the north side of SR 37 just west of Westfield Shopping Center and just east of Lantern Chase Subdivision.

Anticipated Process

a. Staff Presentation

Mr. Schultz presented the Treplus Communities' Concept Review for Burr Oak Commons. Mr. Schultz reviewed the proposed site plan and Comprehensive Land Use Plan. Mr. Schultz discussed pedestrian connectivity and access

locations.

A discussion was held regarding the need to have the trees on the site inventoried to determine the replacement plan.

b. Applicant Presentation

APPLICANT:

Andrew Wecker
Manos, Martin & Pergram Co., LPA
50 N. Sandusky Street
Delaware, Ohio 43015

Brad Parish
Architectural Alliance
165 N. 5th Street
Columbus, Ohio 43215

Steven Hicks
Treplus Communities
1515 Lake Shore Drive, Suite 225
Columbus, Ohio 43204

Mr. Wecker discussed efforts to meet with community residents and Board Members of Lantern Chase to provide information on the proposed development. Mr. Wecker discussed the expectation that occupants will be age 55 years or older.

A discussion was held regarding the access locations. Mr. Weber discussed the access agreement with the nearby shopping center. A discussion was held regarding the mounding and landscape buffering. Mr. Parish discussed the grading on the properties. Mr. Hicks discussed the meetings held with surrounding homeowners and concerns that were voiced. A discussion was held on the drainage connectivity and Mr. Hicks discussed recommendations by their consultant to install a pipe and bypass the ditch.

c. Public comment (not a public hearing)

There was no public comment.

d. No Commission Action

No action was taken by the Commission.

C. 2016-2797: A request by the City of Delaware for approval of Amendments to Chapter 1111 Subdivision Regulations of the Planning

and Zoning Code pertaining to acceptance of public improvements and bonding.

Anticipated Process

a. Staff Presentation

Mr. Efland reviewed the amendments to Chapter 1111 Subdivision Regulations of the Planning and Zoning Code and discussed the ability to make the process more efficient.

b. Applicant Presentation

c. Public comment (public hearing)

There was no public comment.

d. Commission Action

Motion: Mr. Badger moved to approve 2016-2797, seconded by Mr. Volenik. Motion approved by a 7-0 vote.

ITEM 4. PLANNING DIRECTOR'S REPORT

Mr. Efland provided information on the Ohio Planning Conference for May 19, 2017.

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

Mr. Badger informed the Commission that he will not be at the June 7, 2017 Planning Commission meeting.

Mr. Prall informed the Commission that he may not be available at the June 7, 2017 Planning Commission meeting.

Mr. Halter requested an update on the potential development plans off Houk Road. Mr. Efland reviewed the possible concept plans.

ITEM 6. NEXT REGULAR MEETING: June 7, 2017

ITEM 7. ADJOURNMENT:

Motion: Chairman Simpson moved for the May 3, 2017 Planning Commission meeting to adjourn. The meeting adjourned at 8:34 p.m.

Stacy R. Simpson

Stacy Simpson, Chairperson

Elaine McCloskey

Elaine McCloskey, Clerk



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM E DATE: 06/12/2016
ORDINANCE NO: RESOLUTION NO: 17-34
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: ---

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND SPECIFYING THE TERM OF THE APPOINTMENTS.

BACKGROUND:

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

Mayor Riggle

RECOMMENDATION:

ATTACHMENT(S)

RESOLUTION NO. 17-34

A RESOLUTION APPOINTING MEMBERS TO VARIOUS
BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND
SPECIFYING THE TERM OF THE APPOINTMENTS.

WHEREAS, Members are to be appointed to serve on various Committees, Commissions and Boards by the Mayor of the City of Delaware and confirmed by Council and,

WHEREAS, the Mayor has appointed and Council has confirmed the following appointments.

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

SECTION 1. The following appointments are hereby made:

1. Parks and Recreation Advisory Board – Corie Thompson (Fourth Ward Unexpired Term ending 12-31-18) NEW
2. Parks and Recreation Advisory Board – Caitlyn Ashley – Student Representative - - NEW
3. Shade Tree Commission – Mary Shafer – Student Representative – New

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2017

YEAS ____ NAYS ____
ABSTAIN ____

ATTEST: _____
CITY CLERK

MAYOR



MEMORANDUM

TO: Mayor Carolyn Kay Riggle, and Members of City Council
FROM: Elaine McCloskey, City Council Clerk
DATE: 06/08/2017
RE: Aldi's Inc. Liquor Permit

City Council approved a C1 and C2 Liquor Permit for Aldi Inc. at the April 10, 2017 meeting. I received another request for a New C1 and C2 Liquor Permit from Aldi Inc. on May 24, 2017. Upon receiving the application I contacted the Ohio Division of Liquor Control for clarification and was informed that Aldi Inc. had withdrawn the original application on April 14, 2017 and reapplied for a new C1 and C2 on May 18, 2017. The reason for the new application is that Aldi Inc. is transferring their current C1 and C2 license through a TRES to their store in Ontario. They are now applying for the available C1 and C2. The Ohio Division of Liquor Control requested that the application go through the same process as before.

This information was relayed to Mr. Shulman, Mr. Hughes, and Chief Pijanowski. It was recommended by Chief Pijanowski to use the recent background information that was provided in April and present the application before Council.

**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

01007781035 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	ALDI INC OHIO DBA ALDI 973 SUNBURY RD DELAWARE OH 43015	
ISSUE DATE				
05 18 2017 <small>FILING DATE</small>				
C1 C2 <small>PERMIT CLASSES</small>				
21 <small>TAX DISTRICT</small>	022 <small>DISTRICT</small>	B <small>CLASS</small>	B60118 <small>RECEIPT NO.</small>	

FROM 05/23/2017

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 05/23/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN.

06/23/2017

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 NEW 0100778-1035

(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

CORPORATION/STOCK DATA VERIFICATION

SECTION 3

CORPORATE NAME **ALDI INC OHIO** TOTAL SHARES HELD **1000.00** PERMIT # **0100778-0100**
RENEWAL YEAR FEBRUARY 2017-2018

STOCKHOLDERS HOLDING 5% OR MORE OF OUTSTANDING SHARES	LAST FOUR DIGITS OF SOCIAL SECURITY #	SHARES	OFFICE HELD	BIRTHDATE
LARGE CORPORATION TERRY PFORTMILLER ALDI INC CHARLES YOUNGSTROM	*****2915 *****1659 *****7956	0.00 1000.00 0.00	SECR-TREA. PRESIDENT	

IF INFORMATION LISTED ABOVE IS NOT ACCURATE, PLEASE INDICATE CHANGES BELOW.

NAME	SOCIAL SECURITY #	SHARES	OFFICE HELD	BIRTHDATE
TOTAL NUMBER OF SHARES HELD				



Delaware Police Department Liquor Permit Report

DPD Report Number L-17-02		Investigating Officer Det. T. Donoghue #47	
Applicant (Primary Shareholder) ALDI Inc		Company Name (LLC) ALDI Inc Ohio-Springfield Division	
Common Name ALDI		Address 973 Sunbury Rd. Delaware, Ohio 43015	
Applicant Phone Number		Applicant E-Mail Address:	
<input checked="" type="checkbox"/> Existing Business <input type="checkbox"/> New Business (Supplement Attached)	Type of Business Grocery Store	Notification Type:	Date of Report 4/4/2017
Permit Type <input checked="" type="checkbox"/> C1/C2X Beer only in original sealed container for carry out only. <input checked="" type="checkbox"/> C2 Wine and mixed beverages in sealed containers for carry out. <input type="checkbox"/> D1/D2X Beer only for on premises consumption or in sealed containers for carry out. <input 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 type="checkbox"/> Other			

Location Information

Churches, Libraries and or schools within 500 feet <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	School, church or library objection <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No <i>Note: Objections are only permitted for new permits.</i>
Police Calls for Service in past 12 months: (13)	Number of Police Reports in past 12 months: (5)
Calls for Service excluding calls not related to the business in past 12 months: (13)	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 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 type="checkbox"/> Ohio Law Enforcement Gateway <input checked="" type="checkbox"/> Delaware Police Department Database	
Applicant has an active warrant <input type="checkbox"/> Yes <input type="checkbox"/> No	Record located for Liquor Law Violation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Local Record on file <input type="checkbox"/> Yes <input checked="" 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 <input checked="" type="checkbox"/> 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)



**Delaware Police Department
Liquor Permit Report**

Supplement

Supplement Type

- New Business Description
- Police Department Objection
- Community Objection
- Other : Investigative Narrative

Liquor Permit Report Narrative

DPD #L-17-02

Aldi Inc. 973 Sunbury Rd.

Delaware, Ohio 43015

Det. T. Donoghue #47

On 3/1/2017 Aldi Inc. of Batavia Illinois filed a liquor permit application with the State of Ohio Division of liquor Control. Aldi is a grocery store chain with the Ohio divisions being based out of Springfield, Ohio. The permit type sought was a C1/C2, beer carry out and wine/mixed drinks carry out. The local Delaware Aldi store is located at 973 Sunbury Rd., east of the SR 521 intersection. This store has been in business at that location since 2011 (earliest DPD involvement). The Delaware County Auditor's site shows Aldi acquired the property in 2009. This section of roadway has seen increasing development as a retail corridor, with the Glenwood Commons shopping plaza directly across the road from Aldi. This Aldi location has direct entrance/exits off of Sunbury Rd. as well as access by way of Biltmore Dr. which runs from SR 521 north of the Sunbury Rd intersection. Retail neighbors to Aldi are a Tire Discounters shop and a local car dealership's "overflow" storage lot.

There are no churches, libraries, or schools within 500 feet of Aldi. I pulled the past twelve months history of CAD or dispatched calls involving the Aldi location. Most were associated with alarm drops or theft reports for the location. There were thirteen (13) such "calls for service," only five (5) of which resulted in any police report. All of the police reports listed in the Delaware Police database were for retail theft by public "customers." There are no known alcohol violations reported/found. Based on the location of Aldi I find no reason to determine the store is any drain on police resources any more than other businesses in the area. Actually, close by retail establishments not primarily involved with grocery sales have more calls for service.

As Aldi is a corporation, the permit application lists the five "top officers" of the corporation. The corporation owns 100% of its shares so there are no shareholders to list. Three individuals occupy four of the five officer positions. None are listed in the Delaware police database for any reason (they are based out of the corporate offices in Illinois). I spoke to a representative of Ohio Liquor Control and learned that agency has completed a background check on persons of the corporation. I have no information that any site compliance of the local Aldi was/was not conducted. I stopped into the store on 4/4/2017 and spoke to the manager on duty. I was shown the liquor permit displayed on the wall in the employee back room. That permit is number 0100778-0845 and the actual paper copy displayed showed as expired 2/1/2016. A check with the Division of Liquor Control indicates this permit is active/current. The local store for unknown reasons just does not have the current license up. I viewed the location where the beer/wine is on shelves for sale. At the end of the first aisle after entering the store, the beer/wine is located along the back wall the width of two aisles. Aldi carries non-traditional brands as compared to other retail establishments. This is generally in line with the company's cost saving and brand contracting with food providers business style as seen throughout the store. The store does have retractable ribbon that indicates "no alcohol sold on Sunday" which I have seen properly displayed in the past (Sundays). I have also witnessed employees returning alcohol products to the shelves on Sundays when customers attempt to purchase such at the registers. There is a surveillance camera situated directly above the beer/wine shelves. The normal operating hours of the store are until 9pm weekdays, 8pm Saturdays, and 7pm Sundays.



**Delaware Police Department
Liquor Permit Report**

At this time I find no reason to object to the liquor permit request of Aldi Inc. (Ohio) at the Delaware location.

Det J. Ryhne *47 4/4/2017
Investigating Officer Signature Date

Det. Sgt. Kevin J. [Signature] 4-5-17
Supervisor Signature Date



MEMORANDUM

TO: Mayor Carolyn Kay Riggle, and Members of City Council
FROM: R. Thomas Homan, City Manager
DATE: 06/08/2017
RE: Presentation from David McCorkle

David McCorkle, Economic Development Manager with the City of Worthington, will be making a short presentation about the City of Worthington's experience with Co-Hatch, a Co-Working Business located in Worthington, where it has two locations, one of which is the former Worthington Library, which Co-Hatch is currently renovating. Co-Hatch (www.cohatch.com) provides co-working space to small business professionals and entrepreneurs and has an interest in establishing a location in Delaware.



FACT SHEET

AGENDA ITEM NO: 11

DATE: 06/12/2017

ORDINANCE NO: 17-37

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David M. Efland, AICP, Director of Planning

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR PROFESSIONAL SERVICES TO COMPLETE AN UPDATE TO THE CITY'S CURRENT COMPREHENSIVE PLAN.

BACKGROUND:

Council and Staff have long discussed the need to appropriately update the City's Comprehensive Plan as contained in the City Charter Section 103 and as an objective as identified in the City's Strategic Plan. The current Comprehensive Plan has served the community well but is over 10 years old - having been adopted in 2004. As recently as the 2017 budget discussions, this was brought forward as a priority item from City Council. Staff recommended a working budget of \$200,000 for the effort which will include hiring of a professional consultant, significant citizen engagement, and an 18-24 month anticipated time frame. Appropriating funds will allow Staff to prepare and issue a Request For Proposal (RFP) for professional consultant services. Staff will seek to obtain the necessary services at the lowest cost and best proposal as per our processes and regulations. While \$200,000 was Staff's original working budget, this supplemental appropriation would authorize \$175,000 so that would be the maximum available for now. Depending on the responses to the RFP, the budget amount may need to be adjusted.

REASON WHY LEGISLATION IS NEEDED:

Please see background above. The goal is to issue an RFP prior to the end of the year, evaluate responses, and contract for services necessary for the update effort.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

\$175,000 appropriated from the General Fund toward Professional Services to update the Comprehensive Plan.

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

ORDINANCE NO. 17-37

AN ORDINANCE AMENDING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR PROFESSIONAL SERVICES TO COMPLETE AN UPDATE TO THE CITY'S CURRENT COMPREHENSIVE PLAN.

WHEREAS, Section 103 of the City of Delaware Charter requires the adoption and from time to time amendment of the official city plan now known as the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan is the set of official City policies to manage development and growth together with the implementing strategies that establish the vision of the City for the future; and

WHEREAS, the Comprehensive Plan, adopted in 2004, serves as a flexible blueprint to guide decision making by the City, community organizations, and private individuals and entities relative to development; and

WHEREAS, performing a full update of the Comprehensive Plan will require significant effort, resources, and community involvement; and

WHEREAS, the current Comprehensive Plan has not undergone a full update during the planning period; and

WHEREAS, updating the Comprehensive Plan is an objective of the City's Strategic Plan and a priority of City Council; and

WHEREAS, the adopted 2017 Budget projects a year-end fund balance of 17.93 percent of annual expenditures an amount which exceeds the City's adopted Financial Management Policy targeted fund balance reserve of 17 percent; and

WHEREAS, City Administration has determined that the 2017 Budget could be increased by an amount to allow the comprehensive plan update and remain in compliance with the City's Financial Management Policy; and

WHEREAS, a supplemental appropriation to the 2017 Budget will be needed to authorize the increase to the 2017 Budget.

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

SECTION 1. That there is hereby appropriated from the unencumbered balance of the General Fund \$175,000 increasing the following account:

General Administration
Professional Services (101-0032-5230)

\$ 175,000

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 Ohio Revised Code.

VOTE ON RULE SUSPENSION:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2017

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 12

DATE: 06/12/2017

ORDINANCE NO:

RESOLUTION NO: 17-35

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION OF NO OBJECTION TO THE EXPANSION OF THE CONCORD/SCIOTO COMMUNITY AUTHORITY, A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE.

BACKGROUND:

The CIFA is a new community authority formed in 2007 pursuant to a Petition filed by Developer Triangle Properties located in Liberty and Concord Townships. Prior to its formation, the City of Delaware was identified as a “proximate city” (as defined in ORC Section 349.01(M)) and received notice of the proposed Petition to form the CIFA before it was filed with the Delaware County Board of Commissioners. Delaware provided its Consent to the formation of the CIFA before the filing, and a copy of said Consent was attached to the Petition. The CIFA is now working through the process of adding new territory to the CIFA.

Council last approved an expansion in July 2016. Prior to that, Council approved an expansion in October 2014.

REASON WHY LEGISLATION IS NEEDED:

Under ORC Chapter 349.03(B), the CIFA must follow the same process as was used to establish the CIFA, which requires City Council approval.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

Darren Shulman, City Attorney

RECOMMENDATION:

Approval

ATTACHMENT(S)

Executive Summary

Exhibit A - Maps

Exhibit F - Development Program

Exhibit G – Additional Development Plan Details

RESOLUTION NO. 17-35

A RESOLUTION OF NO OBJECTION TO THE EXPANSION OF THE CONCORD/SCIOTO COMMUNITY AUTHORITY, A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE.

WHEREAS, the Concord/Scioto Community Authority (the "Authority"), as a new community authority under Chapter 349 of the Ohio Revised Code, exists within the boundaries of Delaware County, Ohio; and

WHEREAS, the Board of Trustees (the "Board") of the Authority desires to expand the boundaries of the territory of the Authority (the "District") to include approximately 80.67 acres of real property in Concord Township, Delaware County, Ohio, which real property is identified in the records of the Delaware County Auditor at the time of this resolution with parcel numbers 419-330-02-014-007 and 419-330-02-014-008 (the "Property"); and

WHEREAS, a community development charge will be levied against the property added to the District to pay the costs of community facilities that benefit the Property; and

WHEREAS, the City of Delaware (the "City") may be defined as a "proximate city" under Section 349.01(M) of the Ohio Revised Code and has thus been informed of this proposed expansion.

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

SECTION 1. The City does not object to the addition of the Property to the District.

SECTION 2. The City hereby authorizes and directs the Mayor, the City Manager, or the Clerk of City Council to sign any application or other documentation necessary to evidence the City's consent to add the Property to the District.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED: _____, 2017

YEAS _____ NAYS _____
ABSTAIN _____

ATTEST: _____
CITY CLERK

MAYOR

APPROVAL OF THE CITY OF DELAWARE

The City of Delaware, by resolution number 17-____, adopted by the City Council of the City of Delaware on _____, 2017 (a copy of which is attached hereto) approves the foregoing Application to add certain real property to the district (the “District”) of the Concord/Scioto Community Authority District (the “Authority”) and has authorized the Mayor, the City Manager, or the Clerk of Council to sign this Application, and the Application is herewith signed as evidence of that approval. Pursuant to the Declaration of Covenants and Restrictions for the Authority, the community development charge with respect to any parcel within the District, including the real property to be added to the District by means of the instant petition, is chargeable and may be assessed by the Authority if a structure or building is located on a parcel and the parcel (i) receives approval to tap into the public sanitary sewer treatment system; (ii) receives approval to tap into the Del-Co Water Company, Inc. water system (or any successor thereto); or (iii) receives approval of a final development plan for lands, buildings, structures, and improvements to be included in said parcel from the applicable zoning jurisdiction.

CITY OF DELAWARE

By: _____
Name: _____
Title: _____



MEMORANDUM

COLUMBUS | CLEVELAND
CINCINNATI-DAYTON
MARIETTA

BRICKER & ECKLER LLP
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Columbus, OH 43215-4291
MAIN: 614.227.2300
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Nicolaus A. Gordon
614.227.4843
ngordon@bricker.com

VIA E-MAIL

TO: Hon. Carolyn Kay Riggles, City of Delaware
R. Thomas Homan, City of Delaware

FROM: Christiane W. Schmenk
John Caleb Bell
Nicolaus A. Gordon

DATE: May 31, 2017

RE: Application to Add Scioto Ridge Crossing Property to the
Concord/Scioto Community Authority

We've prepared this executive summary to accompany the Application to Add the Scioto Ridge Crossing Property (the "Application") to the Concord/Scioto Community Authority (the "Authority").

The Application was submitted to the City of Delaware, Ohio (the "City") on May 23, 2017, along with a draft a resolution of "no-objection" to the Application for City Council to consider, and a draft signature page to the Application to be executed on behalf of the City, if so authorized by City Council.

Concord/Scioto Community Authority is a new community authority established pursuant to Chapter 349 of the Ohio Revised Code, and has district that covers property in Concord and Scioto Townships in Delaware County. *See* the map in Exhibit A to the Application.

Concord/Scioto Development, LLC, the statutory developer for the Authority (the "Developer"), is preparing to petition the Delaware County Board of Commissioners to approve the addition of approximately 80.7 acres to the Authority. Prior to submitting the Application to the Board of Commissioners, the Developer is requesting proximate city approval from the City.

The subject property ("Scioto Ridge Crossing") is situated adjacent to the Clark Shaw Moors property that was added to the Authority in September 2016. *See* the map in Exhibit A to the Application.

Hon. Carolyn Kay Riggle
R. Thomas Homan
May 31, 2017
Page 2

The Scioto Ridge Crossing property will be developed into 162 individually platted single-family residences by M/I Homes of Central Ohio, LLC (the “Builder”). The property is zoned as Planned Residential District. *See* Exhibit D to the Application for the zoning approvals related to the Scioto Ridge Crossing property.

The Developer and the Builder anticipate the construction of certain “community facilities” that will benefit the Scioto Ridge Crossing property. *See* preliminary list of anticipated community facilities in Exhibit G to the Application. The Authority will finance these community facilities by levying a community development charge on the homes within Scioto Ridge Crossing property in the same manner as other areas within the Authority. *See* the plan of finance in Exhibit F to the Application.

Additionally, the Application contains the traffic study and the Phase I environmental site assessment conducted for the Scioto Ridge Crossing property in Exhibit H and Exhibit L, respectively.

On behalf of the Developer, we respectfully request that City Council consider the resolution of “no-objection”, and authorize the execution of the proximate city approval page on behalf of the City of Delaware.

Please let us know if you have any questions or if you would like to discuss the Application further.

CWS
JCB
NAG



COLUMBUS | CLEVELAND
CINCINNATI | DAYTON
MARIETTA

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Christiane W. Schmenk
614.227.2323
cschmenk@bricker.com

May 22, 2017

VIA EMAIL AND UPS GROUND

Darren Shulman, Esq.
City of Delaware
1 South Sandusky Street
Delaware, OH 43015

Re: Application to Add the Scioto Ridge Crossing Property to
the Concord/Scioto Community Authority

Dear Mr. Shulman:

Enclosed please find a copy of the above-referenced application (the "Application") to add certain real property to the Concord/Scioto Community Authority (the "Authority") pursuant to Ohio Revised Code Chapter 349. Prior to filing this Application with the Delaware County Board of Commissioners, Concord/Scioto Development, LLC (the "Developer") seeks the approval of the Application from the City Council of the City of Delaware, Ohio (the "City Council") as the legislative authority of a "proximate city" of the Authority as defined in Ohio Revised Code Section 349.01(M).

Also enclosed for City Council's consideration are (i) a draft copy of a resolution of "no-objection" to the Application that authorizes the Mayor, the City Manager, or the Clerk of City Council to sign the Application as evidence of City Council's approval; and (ii) a draft copy of the signature page to the Application to be executed if so authorized by City Council.

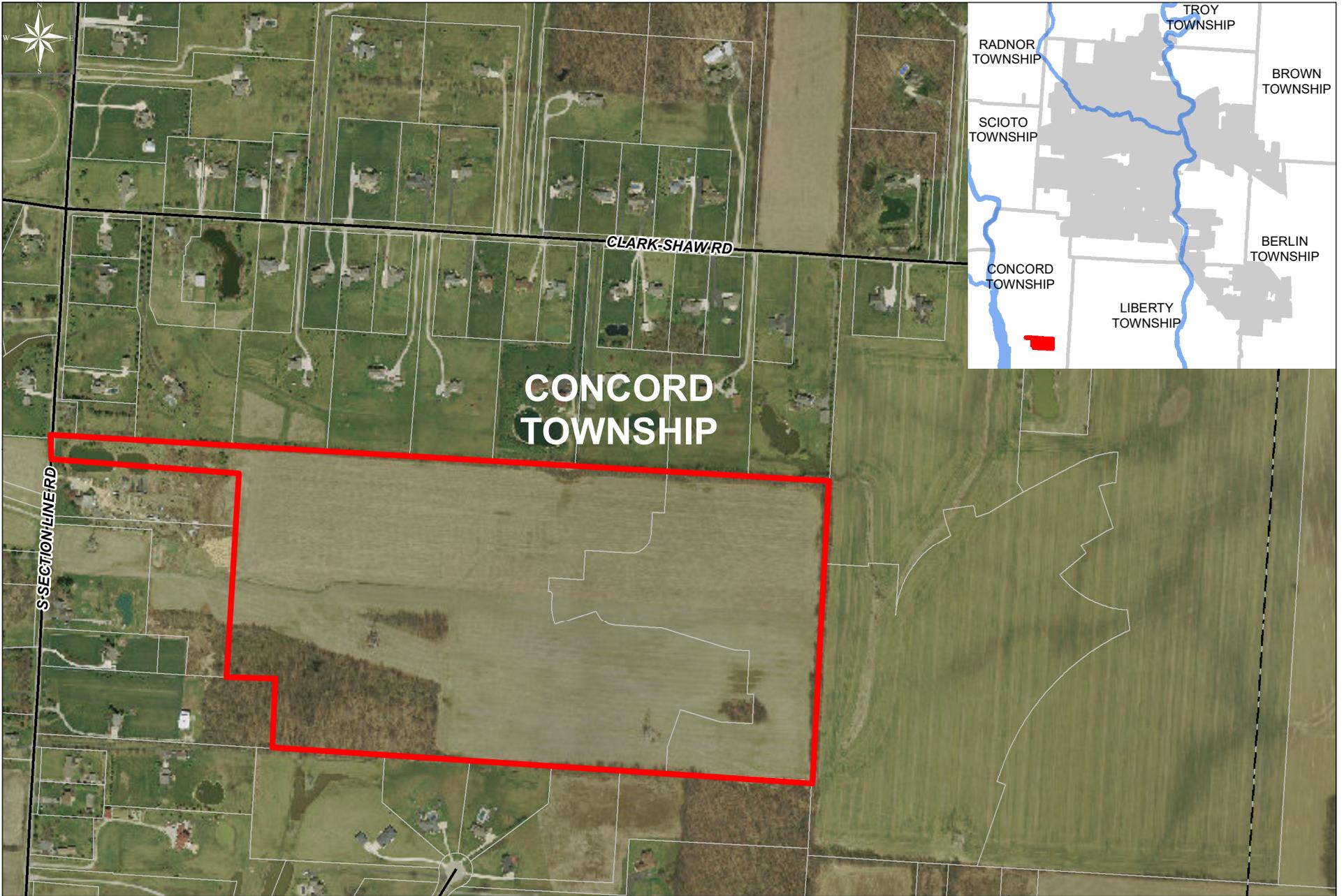
If passed by City Council, please return two (2) original copies of the resolution and executed signature page to the Application.

Please contact me if you have any questions or comments. Thank you for your assistance in this matter.

Sincerely yours,

Christiane W. Schmenk

Enclosures



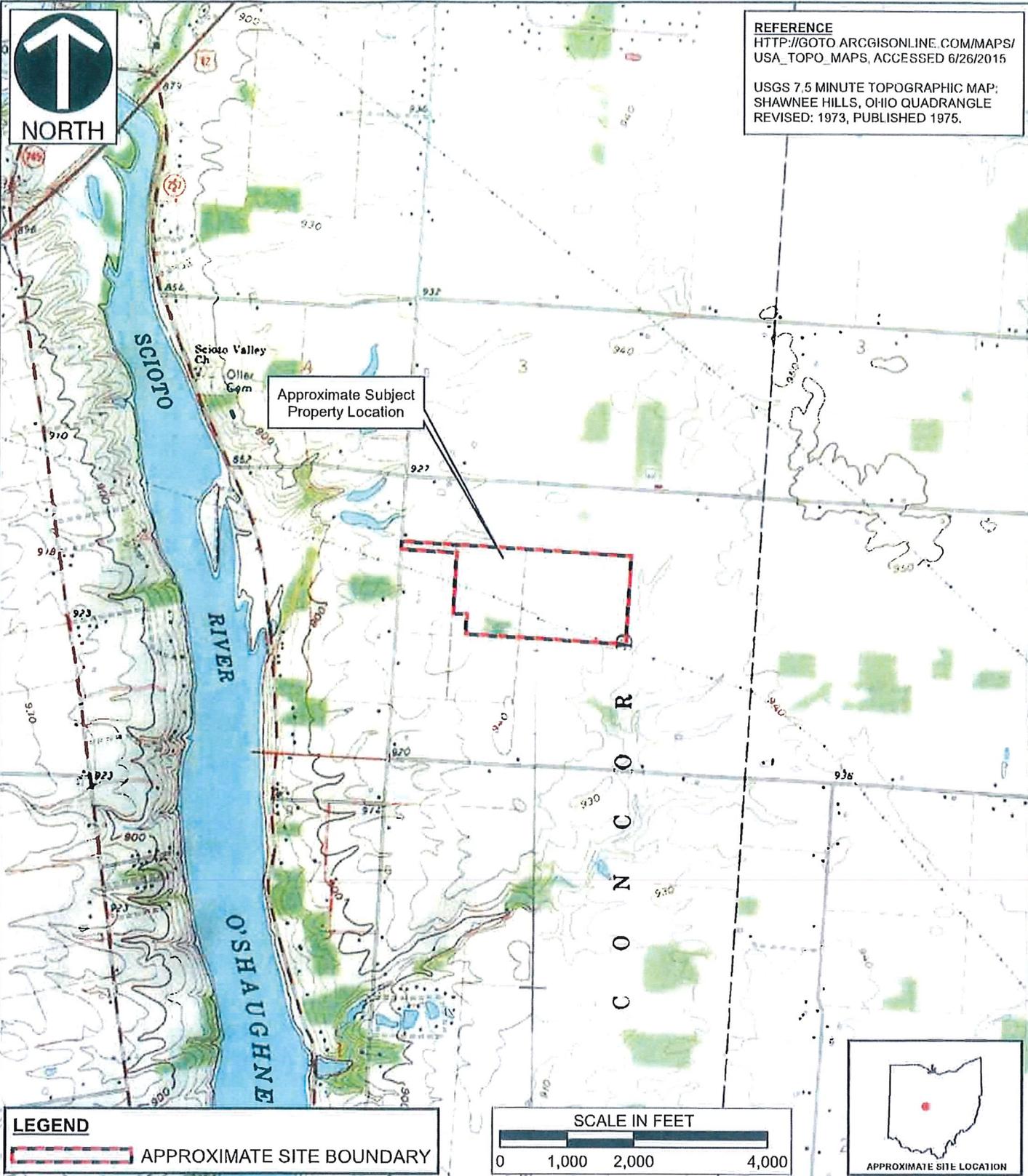
Scioto Ridge Crossing

P:\2015\152-230-GIS\Maps\152-230_Figure_1.mxd LS: (6/25/2015 - mdeliberato) - LP:2/4/2015 3:37:28 PM - L:Exported:6/26/2015 9:46:43 AM

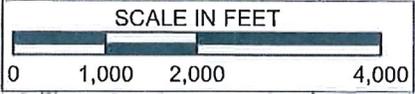


REFERENCE
HTTP://GOTO.ARCGISONLINE.COM/MAPS/
USA_TOPO_MAPS, ACCESSED 6/26/2015

USGS 7.5 MINUTE TOPOGRAPHIC MAP:
SHAWNEE HILLS, OHIO QUADRANGLE
REVISED: 1973, PUBLISHED 1975.



LEGEND
[Red dashed line symbol] APPROXIMATE SITE BOUNDARY



Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road, Suite 250 - Worthington, OH 43085
614-540-6633 · 888-598-6808
www.cecinc.com

TRIKEN PROPERTY
CONCORD TOWNSHIP
DELAWARE COUNTY, OHIO

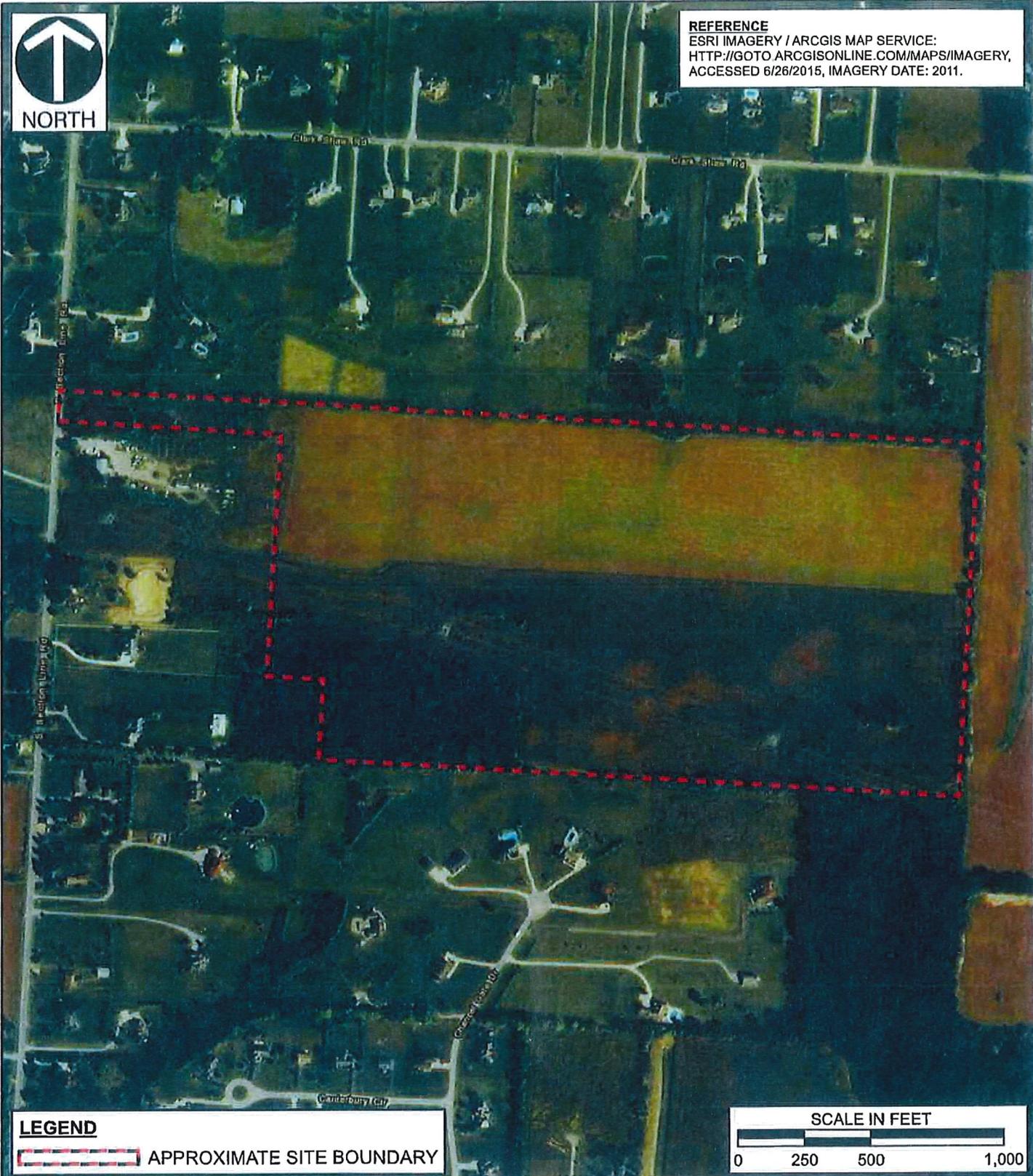
SUBJECT PROPERTY LOCATION MAP

DRAWN BY: MAD CHECKED BY: CLH APPROVED BY: [Signature]
DATE: 6/26/2015 MAP SCALE: 1" = 2,000 PROJECT NO: 152-230

FIGURE: **1**



REFERENCE
 ESRI IMAGERY / ARCGIS MAP SERVICE:
 HTTP://GOTO.ARCGISONLINE.COM/MAPS/IMAGERY,
 ACCESSED 6/26/2015, IMAGERY DATE: 2011.



LEGEND

 APPROXIMATE SITE BOUNDARY

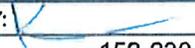


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TRIKEN PROPERTY
 CONCORD TOWNSHIP
 DELAWARE COUNTY, OHIO

SUBJECT PROPERTY DIAGRAM

DRAWN BY: MAD	CHECKED BY: CLH	APPROVED BY: 	FIGURE: 2
DATE: 6/26/2015	MAP SCALE: 1" = 500'	PROJECT NO: 152-230	

P:\2015\152-230-GIS\Maps\152-230_Figure_2.mxd LS: (6/25/2015 - mdeliberato) - LP:24/2015 3:36:57 PM - LExported:6/26/2015 9:50:32 AM

EXHIBIT F

Development Program

Proposed Location and Elements of the Development

The Property when developed will include 162 single-family homes situated on 80.67 acres generally located within Delaware County, Ohio and generally situated west of the Clark Shaw Moors. All homes will comply with the Concord Township Zoning Resolution requirements with respect to properties zoned Planned Residence District, which requirements are described in Exhibit E to the Application.

Community Facilities

Community Facilities (the "Community Facilities") shall include, but are not limited to: i) "community facilities" as defined in the Act; ii) "land acquisition" as defined in the Act; iii) "land development" as defined in the Act; and iv) all costs related to land acquisition and land development, the acquisition, construction, maintenance, and operation of community facilities and offices of the community authority, and of providing furnishings and equipment therefor, financing charges including interest prior to and during construction and for the duration of the new community development program, planning expenses, engineering expenses, administrative expenses including working capital, and all other expenses necessary and incident to the carrying forward of the new community development program.

Additional details regarding certain planned Community Facilities, which include, but are not limited to, open-space dedications to Delaware County, Ohio; the construction and public dedication of public roads; the public dedication of certain right-of-way access; sewer infrastructure; storm water pipes; storm water retention ponds; and other necessary water infrastructure appear in Exhibit G to the Application. The Developer or a designated construction manager or other agent of the Authority will construct the Community Facilities.

During the second quarter of 2017, the Developer will start the site development process, which includes bulk excavation for the public road sub-base, the creation of a storm detention pond, and the establishment of positive drainage. Following dirt excavation, a central sanitary sewer system will be installed across the site. The storm sewer system and the water main then will be installed. After inspections of the public utilities, the public asphalt roadways will be installed. The final infrastructure elements to be completed will be electric, cable television, phone and gas. Completion of initial site development and submission of building permits is anticipated for the end of 2018.

Proposed Traffic Circulation Pattern

Primary access is through Clarkshaw Moors as shown in map attached on Exhibit C. A traffic study for the Property, together with the Clark Shaw Moors property appears in Exhibit H to the Application. Additional potential future access points to Clarkshaw Road and South Section Line Road will be platted as easements per the Delaware County Engineer.

Plan of Finance

The Authority will issue revenue bonds secured by an 8.25-mill portion of the 10.25 mill community development charge to be paid by owners of real property within the Property (the "Bonds"). The Authority will make the proceeds of the Bonds available to pay the costs of any Community Facilities on an upfront or draw down basis, as applicable. As required by the Declaration, the Authority shall provide a 2.00-mill portion of community development charge revenues generated from the Property to Delaware County, Ohio.

Pursuant to the Declaration, the community development charge with respect to any parcel within the District, including the Property, is chargeable and may be assessed by the Authority if a structure or building is located on a parcel and the parcel (i) receives approval to tap into the public sanitary sewer treatment system; (ii) receives approval to tap into the Del-Co Water Company, Inc. water system (or any successor thereto); or (iii) receives approval of a final development plan for lands, buildings, structures, and improvements to be included in said parcel from the applicable zoning jurisdiction.

Projected Population

Based on Census Demographic profile data for Delaware County, Ohio in the Census 2010 data collected by the U.S. Census Bureau, the Community Facilities are anticipated to benefit a projected total population within the Property of 421 residents (162 residential units multiplied by 2.6 persons per household).

Assuming the same 2.6 persons per household that was assumed in the Petition, the projected total population of the District is as follows:

- As provided in the Petition, the original District proposed the development of 849 residential lots, with a projected population of 2,207 residents.
- Following the addition of the Rockford property to the District in 2015, the projected units for development grew by 76 units and 198 residents to 925 projected units and a projected population of 2,405 residents.
- Following the addition of the Clark Shaw Moors (M/I Homes) property, the Clark Shaw Moors (Rockford Homes) property, the Price Farms property, and the River Bluff property in 2016, the projected units for development grew by 422 units and 1,098 residents to 1,347 units and a population of 3,503 residents.
- If this Application is approved the projected figures for the District will grow to 1,509 units and 3,923 residents.

The foregoing development plan is in addition to, and consistent with, the Development Program identified in Exhibit C to the Petition.

EXHIBIT G

Additional Development Plan Details

The attached development plan outlines certain planned Community Facilities, which include, but are not limited to, open-space dedications to Delaware County, Ohio; the construction and public dedication of public roads; the public dedication of certain right-of-way access; sewer infrastructure; storm water pipes; storm water retention ponds; and other necessary water infrastructure.

[Attached]

**Public Improvements
Cost Estimates**

Item	Cost Estimate
Engineering	\$259,200
Right-of-Way Dedications to Delaware County	\$558,006
On-Site Sanitary Sewer	\$588,790
On-Site Sanitary Sewer Inspection Fee	\$47,103
On-Site Sewer Plan County Plan review fees	\$20,608
Storm Sewer	\$875,991
TOTAL	\$2,349,698



FACT SHEET

AGENDA ITEM NO: 13

DATE: 06/12/2017

ORDINANCE NO: 17-38

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Sean Hughes, Economic Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH KIRBY VENTURES, LLC, OAK & BRAZEN, LLC, DELAWARE CITY SCHOOLS, DELAWARE AREA CAREER CENTER AND THE CITY OF DELAWARE FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON A BUILDING AT 38 EAST WINTER STREET, AND DECLARING AN EMERGENCY.

BACKGROUND:

We are requesting City Council's approval for the City Manager to enter into a Community Reinvestment Area (CRA) Tax Incentive Agreement and School Compensation Agreement with Kirby Ventures, LLC, Oak & Brazen, LLC, Delaware City Schools, Delaware Area Career Center for a \$110,000 investment in the first floor of 38 E. Winter St. on Parcel 51943109002000.

Jeff Kirby, owner of Kirby Ventures, LLC and Oak & Brazen, LLC has submitted application for the Community Reinvestment Area Tax Abatement.

The company will be renovating the first floor of the building they purchased at 38 E. Winter St. to house Oak & Brazen, a wine production and wine bar company. The company has committed to hiring 6 FTEs with a payroll of \$165,000 within three years of activation of the abatement.

REASON WHY LEGISLATION IS NEEDED:

We calculated a 100%/15 year CRA tax abatement would an approximate \$ 40,103.33 in tax savings after 15 years on his \$110,000 investment. Due to the abatement being for a new payroll of \$165,000, a School Compensation Agreement is not required. The schools must approve the CRA because it is over 50% and the total proposed school compensation on improvements is less than 50%.

The Tax Incentive Negotiation Committee and Staff are recommending a 100%/15 year CRA to assist the company with a company paid School Pilot Payment Agreement equaling \$664.24 per year or \$9,963.54 after 15 years. These pilot payments would be divided between DCS and DACC in accordance with their respective tax rates. With the recommendations as made, this project would achieve a 121.19% ROI for the City with \$45,788 in income taxes after 15 years multiplied by an INPLAN multiplier. The schools would achieve a 24.84% ROI, but also would retain the taxes they currently receive on the unimproved building of \$6,215.14 per year or \$93,277.10 after 15 years.

As you are aware, the 38 E. Winter St. building has remained vacant for nearly 12 years and is in need of considerable re-investment. This proposed incentive package provides an opportunity to spur considerable investment and continue the upward progress of investment and new businesses in our historic downtown.

COMMITTEE RECOMMENDATION:

Tax Incentive Review Council, 5/2/17

VOTE: Approval

FISCAL IMPACT(S):

COST: N/A

FUND SOURCES: N/A

BUDGETED: NO

DEPARTMENTS IMPACTED: Economic Development

POLICY CHANGES:

N/A

PRESENTER(S):

Sean Hughes, Economic Development Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

CRA School Notification Letters

Incentives Application

CRA Agreement

School Compensation Agreement

Map Exhibit of Building Location

ORDINANCE NO. 17-38

AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH KIRBY VENTURES, LLC, OAK & BRAZEN, LLC, DELAWARE CITY SCHOOLS, DELAWARE AREA CAREER CENTER AND THE CITY OF DELAWARE FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON A BUILDING AT 38 EAST WINTER STREET, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Delaware has encouraged development of and investment in real property in the area designated as Community Reinvestment Area 141-1135-1 pursuant to ORC 3735; and

WHEREAS, the City of Delaware by Resolution Number 01-52, resolved to review and approve all Community Reinvestment Area Agreements which meet the statutory guidelines;

WHEREAS, the City of Delaware partners with impacted school districts to ensure mutual benefit from economic development projects; and

WHEREAS, the Council of the City of Delaware established an economic development fund to attract, incentive and assist high return on investment projects in the City of Delaware; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF DELAWARE, DELAWARE COUNTY, OHIO, that:

SECTION 1. The Community Reinvestment Area Agreement by and between the City of Delaware and KIRBY VENTURES, LLC and OAK & BRAZEN, LLC meets all of the guidelines established by the State of Ohio and the City of Delaware, and the same is hereby approved.

SECTION 2. The School Compensation Agreement by and between the City of Delaware, Delaware City School District and KIRBY VENTURES, LLC and OAK & BRAZEN, LLC meets all of the school compensation guidelines established by the State of Ohio and the City of Delaware, and the same is hereby approved.

SECTION 4. That the City Council of the City of Delaware hereby authorizes the execution of said agreements by the City Manager to implement the Community Reinvestment Area Program and School Compensation Agreement for this project.

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

SECTION 6. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City, and is necessary to finalize negotiations, and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS___NAYS___
ABSTAIN ___

VOTE ON EMERGENCY CLAUSE:

YEAS___ NAYS___
ABSTAIN ___

PASSED: _____, 2017

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



May 19, 2017

Mary Beth Freeman
Superintendent
Delaware Area Career Center
4565 Columbus Pike
Delaware, OH 43015

Paul Craft
Superintendent
Delaware City Schools
74 W. William St.
Delaware, OH 43015

RE: KIRBY VENTURES, LLC and OAK & BRAZEN, LLC Community Reinvestment Area Request for Tax Incentives and School Compensation Agreement

Dear Superintendents Craft and Freeman:

In an effort to attract Kirby Ventures, LLC and their possible tenant, Oak & Brazen, LLC to the City of Delaware, the City of Delaware's Incentive Negotiation Committee, that includes the superintendents and treasurers from the impacted school districts, negotiated a 100% for 15 year CRA tax abatement for their potential building renovation at 38 E. Winter St. on Parcel #51943109002000. As part of the CRA abatement, the companies have agreed to a School Compensation Agreement with an annual payments to the school districts equaling 30% of what the school districts would have seen without the abatement on building improvements. The total of payments to both Delaware City Schools and Delaware Area Career Center would be \$ 664.24/year for a total of \$9,963.6 after fifteen years.

All incentives are based on Kirby Ventures, LLC and/or Oak & Brazen, LLC commitments to the creation of 6 new full-time equivalent jobs to the City of Delaware with a payroll minimum of \$165,000 within 3 years of the completion of your project. A copy of their application for tax incentives is attached.

Due to Oak & Brazen, LLC being a tenant of Kirby Ventures, LLC's building's first floor, the actual CRA agreement will be with both Oak & Brazen, LLC and Kirby Ventures, LLC with Oak & Brazen, LLC being listed as a job creator on the project so that both the building owner and the tenant have shared responsibility in the job and payroll creation.

CRA (ORC 3735.65-70) guidelines require that Boards of Education be informed of amendments, notice requirements, review rights, meeting requests, revenue sharing requirements, and/or program participation. Since the CRA legislation and company agreements contain many legal requirements, you may want to review Ohio Revised Code references (please see:

<http://onlinedocs.andersonpublishing.com/>).

The City of Delaware is requesting a waiver of the required 45 business day notice period so that Delaware City Council will be able to consider these requests at our regularly scheduled Council meeting on June 12, 2017, held at Delaware City Hall, 1 South Sandusky Street, Delaware, at 7:00 P.M. A second reading and public hearing may be scheduled for June 26, 2017, but may not be needed if Council chooses to take action on the first reading for economic development purposes. School Board Members, staff and the public are welcome to attend these meetings. Please let me know if you require any further assistance. I can be reached at 740.203.1016 or shughes@delawareohio.net. Please email me with confirmation of receipt of this notification so that I can send it with our petition to the Ohio Development Services Agency.

Yours Sincerely,
Sean Hughes
Economic Development Director

xc: Honorable George Kaitsa, Auditor
 R. Thomas Homan, City Manager
 Dean Stelzer Finance Director
 Melissa Lee , Treasurer, Delaware City School District
 Chris Bell, Treasurer, Delaware Area Career Center
 Bob Lamb, Delaware County Economic Development Director

Attached:

1. ORC 3735.671
2. Kirby Ventures, LLC and Oak 7 Brazen, LLC application for tax incentives

3735.671 Written agreement where commercial or industrial property is to be exempted.

(A) If construction or remodeling of commercial or industrial property is to be exempted from taxation pursuant to section [3735.67](#) of the Revised Code, the legislative authority and the owner of the property, prior to the commencement of construction or remodeling, shall enter into a written agreement, binding on both parties for a period of time that does not end prior to the end of the period of the exemption, that includes all of the information and statements prescribed by this section. Agreements may include terms not prescribed by this section, but such terms shall in no way derogate from the information and statements prescribed by this section.

(1) Except as otherwise provided in division (A)(2) or (3) of this section, an agreement entered into under this section shall not be approved by the legislative authority unless the board of education of the city, local, or exempted village school district within the territory of which the property is or will be located approves the agreement. For the purpose of obtaining such approval, the legislative authority shall certify a copy of the agreement to the board of education not later than forty-five days prior to approving the agreement, excluding Saturday, Sunday, and a legal holiday as defined in section [1.14](#) of the Revised Code. The board of education, by resolution adopted by a majority of the board, shall approve or disapprove the agreement and certify a copy of the resolution to the legislative authority not later than fourteen days prior to the date stipulated by the legislative authority as the date upon which approval of the agreement is to be formally considered by the legislative authority. The board of education may include in the resolution conditions under which the board would approve the agreement. The legislative authority may approve an agreement at any time after the board of education certifies its resolution approving the agreement to the legislative authority, or, if the board approves the agreement conditionally, at any time after the conditions are agreed to by the board and the legislative authority.

(2) Approval of an agreement by the board of education is not required under division (A)(1) of this section if, for each tax year the real property is exempted from taxation, the sum of the following quantities, as estimated at or prior to the time the agreement is formally approved by the legislative authority, equals or exceeds fifty per cent of the amount of taxes, as estimated at or prior to that time, that would have been charged and payable that year upon the real property had that property not been exempted from taxation:

(a) The amount of taxes charged and payable on any portion of the assessed valuation of the new structure or remodeling that will not be exempted from taxation under the agreement;

(b) The amount of taxes charged and payable on tangible personal property located on the premises of the new structure or of the structure to be remodeled under the agreement, whether payable by the owner of the structure or by a related member, as defined in section [5733.042](#) of the Revised Code without regard to division (B) of that section.

(c) The amount of any cash payment by the owner of the new structure or structure to be remodeled to the school district, the dollar value, as mutually agreed to by the owner and the board of education, of any property or services provided by the owner of the property to the school district, whether by gift, loan, or otherwise, and any payment by the legislative authority to the school district pursuant to section [5709.82](#) of the Revised Code.

The estimates of quantities used for purposes of division (A)(2) of this section shall be estimated by the legislative authority. The legislative authority shall certify to the board of education that the estimates have been made in good faith. Departures of the actual quantities from the estimates subsequent to approval of the agreement by the

board of education do not invalidate the agreement.

(3) If a board of education has adopted a resolution waiving its right to approve agreements and the resolution remains in effect, approval of an agreement by the board is not required under this division. If a board of education has adopted a resolution allowing a legislative authority to deliver the notice required under this division fewer than forty-five business days prior to the legislative authority's execution of the agreement, the legislative authority shall deliver the notice to the board not later than the number of days prior to such execution as prescribed by the board in its resolution. If a board of education adopts a resolution waiving its right to approve agreements or shortening the notification period, the board shall certify a copy of the resolution to the legislative authority. If the board of education rescinds such a resolution, it shall certify notice of the rescission to the legislative authority.

(B) Each agreement shall include the following information:

(1) The names of all parties to the agreement;

(2) A description of the remodeling or construction, whether or not to be exempted from taxation, including existing or new structure size and cost thereof; the value of machinery, equipment, furniture, and fixtures, including an itemization of the value of machinery, equipment, furniture, and fixtures used at another location in this state prior to the agreement and relocated or to be relocated from that location to the property, and the value of machinery, equipment, furniture, and fixtures at the facility prior to the execution of the agreement; the value of inventory at the property, including an itemization of the value of inventory held at another location in this state prior to the agreement and relocated or to be relocated from that location to the property, and the value of inventory held at the property prior to the execution of the agreement;

(3) The scheduled starting and completion dates of remodeling or construction of real property or of investments made in machinery, equipment, furniture, fixtures, and inventory;

(4) Estimates of the number of employee positions to be created each year of the agreement and of the number of employee positions retained by the owner due to the remodeling or construction, itemized as to the number of full-time, part-time, permanent, and temporary positions;

(5) Estimates of the dollar amount of payroll attributable to the positions set forth in division (B)(4) of this section, similarly itemized;

(6) The number of employee positions, if any, at the property and at any other location in this state at the time the agreement is executed, itemized as to the number of full-time, part-time, permanent, and temporary positions.

(C) Each agreement shall set forth the following information and incorporate the following statements:

(1) A description of real property to be exempted from taxation under the agreement, the percentage of the assessed valuation of the real property exempted from taxation, and the period for which the exemption is granted, accompanied by the statement: "The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence after

(insert date) nor extend beyond (insert date)."

(2) "..... (insert name of owner) shall pay such real property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If (insert name of owner) fails to pay such taxes or file such returns and reports, exemptions from taxation granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter."

(3) "..... (insert name of owner) hereby certifies that at the time this agreement is executed, (insert name of owner) does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which (insert name of owner) is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, or, if such delinquent taxes are owed, (insert name of owner) currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against (insert name of owner). For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes."

(4) "..... (insert name of municipal corporation or county) shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions."

(5) "If for any reason (insert name of municipal corporation or county) revokes the designation of the area, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless (insert name of owner) materially fails to fulfill its obligations under this agreement and (insert name of municipal corporation or county) terminates or modifies the exemptions from taxation pursuant to this agreement."

(6) "If (insert name of owner) materially fails to fulfill its obligations under this agreement, or if (insert name of municipal corporation or county) determines that the certification as to delinquent taxes required by this agreement is fraudulent, (insert name of municipal corporation or county) may terminate or modify the exemptions from taxation granted under this agreement."

(7) "..... (insert name of owner) shall provide to the proper tax incentive review council any information reasonably required by the council to evaluate the applicant's compliance with the agreement, including returns filed pursuant to section [5711.02](#) of the Ohio Revised Code if requested by the council."

(8) "This agreement is not transferable or assignable without the express, written approval of (insert name of municipal corporation or county)."

(9) "Exemptions from taxation granted under this agreement shall be revoked if it is determined that (insert name of owner), any successor to that person, or any related member (as those terms are defined in division (E) of section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under division (E) of section 3735.671 or section [5709.62](#) or [5709.63](#) of the Ohio Revised Code prior to the time

prescribed by that division or either of those sections."

(10) "..... (insert name of owner) and (insert name of municipal corporation or county) acknowledge that this agreement must be approved by formal action of the legislative authority of (insert name of municipal corporation or county) as a condition for the agreement to take effect. This agreement takes effect upon such approval."

The statement described in division (C)(6) of this section may include the following statement, appended at the end of the statement: ", and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement." If the agreement includes a statement requiring repayment of exempted taxes, it also may authorize the legislative authority to secure repayment of such taxes by a lien on the exempted property in the amount required to be repaid. Such a lien shall attach, and may be perfected, collected, and enforced, in the same manner as a mortgage lien on real property, and shall otherwise have the same force and effect as a mortgage lien on real property.

(D) Except as otherwise provided in this division, an agreement entered into under this section shall require that the owner pay an annual fee equal to the greater of one per cent of the amount of taxes exempted under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars. The fee shall be payable to the legislative authority once per year for each year the agreement is effective on the days and in the form specified in the agreement. Fees paid shall be deposited in a special fund created for such purpose by the legislative authority and shall be used by the legislative authority exclusively for the purpose of complying with section [3735.672](#) of the Revised Code and by the tax incentive review council created under section [5709.85](#) of the Revised Code exclusively for the purposes of performing the duties prescribed under that section. The legislative authority may waive or reduce the amount of the fee, but such waiver or reduction does not affect the obligations of the legislative authority or the tax incentive review council to comply with section [3735.672](#) or [5709.85](#) of the Revised Code.

(E) If any person that is party to an agreement granting an exemption from taxation discontinues operations at the structure to which that exemption applies prior to the expiration of the term of the agreement, that person, any successor to that person, and any related member shall not enter into an agreement under this section or section [5709.62](#), [5709.63](#), or [5709.632](#) of the Revised Code, and no legislative authority shall enter into such an agreement with such a person, successor, or related member, prior to the expiration of five years after the discontinuation of operations. As used in this division, "successor" means a person to which the assets or equity of another person has been transferred, which transfer resulted in the full or partial nonrecognition of gain or loss, or resulted in a carryover basis, both as determined by rule adopted by the tax commissioner. "Related member" has the same meaning as defined in section [5733.042](#) of the Revised Code without regard to division (B) of that section.

The director of development shall review all agreements submitted to the director under division (F) of this section for the purpose of enforcing this division. If the director determines there has been a violation of this division, the director shall notify the legislative authority of such violation, and the legislative authority immediately shall revoke the exemption granted under the agreement.

(F) When an agreement is entered into under this section, the legislative authority authorizing the agreement shall

forward a copy of the agreement to the director of development within fifteen days after the agreement is entered into.

Effective Date: 09-26-2003; 03-23-2005



INCENTIVES APPLICATION

1. a. Name of property owner, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

Enterprise Name: Kirby Ventures, LLC (bldg owner) Contact Person: Jeff Kirby
Oak & Brazen, LLC (Tenant)
Address: 7100 Cook Road Telephone Number: 614-290-5898
Powell, Ohio 43065

b. Project site: 38 E. Winter Street Building
Contact Person: Jeff Kirby

Address: 38 E. Winter Street Telephone Number: 614-290-5898
Delaware, Ohio 43015
Date: 4/3/2017

2. a. Nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site. Wine production, Tasting Room & Event Space

b. List primary 6 digit North American Industry Classification System (NAICS) #
Business may list other relevant SIC numbers. _____

c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred: N/A

d. Form of business of enterprise (corporation, partnership, proprietorship, or other). Limited Liability Company

3. Name of principal owner(s) or officers of the business. Jeffrey Kirby, Gina Kirby

4. a. State the enterprise's current employment level at the proposed project site: None

b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Yes No

c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located: N/A

d. State the enterprise's current employment level in Ohio (itemized for full and

part-time and permanent and temporary employees): **None – New Company**

e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets: **N/A**

f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated? **N/A**

5. Does the Property Owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?
Yes__ **No X**

b. Any moni to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes__ **No X**

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?
Yes__ **No X**

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets). **N/A**

6. Project Description: **Renovation of building to convert to a wine production space, a tasting room with a bar and seating, and a barrel aging event room.**

7. Project will begin **June**, 2017 and be completed **October**, 2017 provided a tax exemption is provided.

8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary): **2 full-time (40 hrs per week), 8 part-time (20 hours per week)**

b. State the time frame of this projected hiring: **3** yrs.

c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees):

9. a. Estimate the amount of annual payroll such new employees will add \$ **85,000** (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).

*8 x \$10,000 in tips
\$165,000 total*

b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ **N/A**

10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

A. Acquisition of Buildings:	\$ 225,000
B. Additions/New Construction:	\$ 0
C. Improvements to existing buildings:	\$ 110,000
D. Machinery & Equipment:	\$ \$10,000
E. Furniture & Fixtures:	\$
F. Inventory:	\$

Total New Project Investment: \$ **345,000**

11. a. Business requests the following incentives:

A CRA tax abatement at 100% for 15 years

b. Business's reasons for requesting incentives (be quantitatively specific as possible):

Being granted the CRA tax abatement would greatly help in this restoration of a distressed building in the central block of downtown Delaware. The building has sat empty for 10 years now and has become a black-eye in what has become a great entertainment area - this should not be the case. We are taking this opportunity to bring this building back to life and make it a prominent piece to the downtown core; it is a major investment for us. This abatement would allow us to use funds towards making this space a place for the people of Delaware to be proud of, allow us to continue the renovation of the second floor space, and create much-needed jobs in the downtown core. Thank you for your consideration.

Submission of this application expressly authorizes (name of local jurisdiction) to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item# 5 and to review applicable confidential records. As part of this application, the property owner may also be required to directly request from the Ohio Department of Taxation, or complete a waiver form allowing the Department of Taxation to release specific tax records to the local jurisdiction considering the request. (The Applicant agrees to supply additional information upon request.)

The Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Name of Property Owner
Kirby Ventures, LLC (Jeffrey D. Kirby)

Date
4/4/2017

Signature



Typed Name and Title
Jeffrey D. Kirby, President

* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

** Attach to Final Incentives Agreements as Exhibit A

COMMUNITY REINVESTMENT AREA AGREEMENT
CITY OF DELAWARE, KIRBY VENTURES, LLC and OAK & BRAZEN, LLC

This agreement made and entered into by and between the City of Delaware, Ohio, a municipal government, with its main offices located at 1 South Sandusky Street, Delaware, Ohio 43015, KIRBY VENTURES, LLC, 7100 Cook Rd., Powell, OH 43065 and OAK & BRAZEN, LLC, 7100 Cook Rd., Powell, OH 43065, WITNESSETH;

WHEREAS, the City of Delaware has encouraged the development of real property and the acquisition of personal property located in the area designated as Community Reinvestment Area 141-1135-01; and

WHEREAS, KIRBY VENTURES, LLC (building owner) desires to renovate an historic building for retail use by OAK & BRAZEN, LLC (tenant and job creator) within the boundaries of the aforementioned Community Reinvestment Area, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Delaware, Ohio, by Resolution No. 17-52 adopted July 23, 2001, designated the area as a "Community Reinvestment Area" pursuant to Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective September 4, 2001, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution No. 01-52 contains the characteristics set forth in Section 3735.66 of the Ohio Revised Code and confirmed said area as Community Reinvestment Area #141-1135-01 under said Chapter 3735; and

WHEREAS, the City of Delaware, having the appropriate authority for the stated type of project desires to provide KIRBY VENTURES, LLC and OAK & BRAZEN, LLC with incentives available for the development of the PROJECT in said Community Reinvestment Area under Chapter 3735 of the Ohio Revised Code; and

WHEREAS, KIRBY VENTURES, LLC and OAK & BRAZEN, LLC have submitted a proposed agreement application (herein attached as Exhibit A) to the City of Delaware (hereinafter referred to as "APPLICATION"); and

WHEREAS, KIRBY VENTURES, LLC OR OAK & BRAZEN, LLC have remitted the required state application fee of \$750.00 made payable to the Ohio Department of Development with the APPLICATION to be forwarded to said department with a copy of the final agreement; and

WHEREAS, the Tax Incentive Negotiating Committee of the City of Delaware investigated the APPLICATION of KIRBY VENTURES, LLC and OAK & BRAZEN, LLC on May 2, 2017, and recommended approval to the Council of the City of Delaware on the basis that KIRBY VENTURES, LLC and OAK & BRAZEN, LLC are qualified by financial responsibility and business experience to create and preserve employment opportunities in said Community Reinvestment Area and improve the economic climate of the City of Delaware; and

WHEREAS, the project site as proposed by KIRBY VENTURES, LLC and OAK & BRAZEN, LLC is located in the Delaware City School District and the Delaware Area Career Center. Per the attached resolutions authorizing the superintendents to act on behalf of their boards and noted in the minutes of the May 2, 2017, meeting of the Tax Incentive Negotiating Committee

meeting, the boards of education have been notified in accordance with Section 5709.83 and been given a copy of the APPLICATION; and

WHEREAS, pursuant to Section 3735.67(A) and in conformance with the format required under Section 3735.671(B) of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. KIRBY VENTURES, LLC shall renovate the first floor of an historic downtown building located at 38 East Winter Street on Parcel 51943109002000, as the same is known and designated on the Auditor's revised list of lots in Delaware, Ohio.

The PROJECT will involve a total on-site infrastructure investment by KIRBY VENTURES, LLC of ONE HUNDRED TEN THOUSAND DOLLARS (\$110,000), plus or minus 10%, at the PROJECT site according to the following:

Real Property	
New Building Construction	\$
On-Site Infrastructure	\$110,000
Sub Total Real Property	\$110,000
Building Acquisition	\$225,000
Total Real Property	\$335,000
Personal Property	
Equipment	\$0
F&F	\$0
Inventory	\$0
Total Investment	\$335,000

No tax incentives are available for the Personal Property.

The PROJECT will begin by June 14, 2017 and all acquisition, construction and construction will be completed by December 31, 2017.

2. KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC shall create or cause to be hired within a time period not exceeding 12 months after the completion of construction and subsequent occupancy of the aforesaid facility, the equivalent of 2 new full-time permanent job opportunities, 8 new part-time permanent job opportunities, 0 full-time temporary job opportunities, and 0 part-time temporary job opportunities, for a total of 6 full-time equivalent (FTE) job opportunities to be created by the PROJECT.

The job creation period begins September 1, 2017 and all jobs will be in place by September 30, 2020 (3 years or 36 months after the completion of the PROJECT per ORC3735).

KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC currently have 0 full-time temporary employees, and 0 part-time temporary employees at the project site.

KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC have 0 employees at other sites in Ohio or the US.

This increase in the number of employees shall result in at least ONE HUNDRED AND SIXTY-FIVE THOUSAND DOLLARS (\$165,000) in total annual payroll (\$165,000 NEW FULL TIME PERMANENT) generated at the PROJECT site by September 30, 2020.

Based on new job and payroll creation levels, the City of Delaware estimates an annual new employee income tax revenue amount of \$3,052.50 (\$165,000 payroll times the current income tax rate of 1.85%) for the PROJECT. If in any year of this Agreement the level of new and retained payroll does not reach or falls below levels established by this Agreement, KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC agree to reimburse the City of Delaware for lost employee income taxes. The City of Delaware and KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC agree to add a 3% inflation factor per year. Should the City's income tax rates change, these figures are adjusted accordingly.

3. KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the property owner's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the council (ORC3735.671C7).

ADDITIONAL REQUIREMENTS:

- a. KIRBY VENTURES, LLC OR OAK & BRAZEN, LLC shall make the following payments totaling \$9,963.54 to Delaware City School District and Delaware Area Career Center (Split between districts based on current tax rate percentage split.) to benefit the districts' educational initiatives. This payment shall be subject to the terms and conditions of a separate School Compensation Agreement between KIRBY VENTURES, LLC, OAK & BRAZEN, LLC, DELAWARE CITY SCHOOLS, DELAWARE AREA CAREER CENTER and the CITY OF DELAWARE. The companies will make these payments directly to the school districts upon receipt of invoices from the Delaware City Schools and Delaware Area Career Center for the amounts established in the School Compensation Agreement issued at the following times.

<u>School Compensation Payment #</u>	<u>Payment Due Date</u>	<u>Amount</u>
Payment #1	9/30/19	\$664.24
Payment #2	9/30/20	\$664.24
Payment #3	9/30/21	\$664.24
Payment #4	9/30/22	\$664.24
Payment #5	9/30/23	\$664.24
Payment #6	9/30/24	\$664.24
Payment #7	9/30/25	\$664.24
Payment #8	9/30/26	\$664.24
Payment #9	9/30/27	\$664.24
Payment #10	9/30/28	\$664.24

Payment #11	9/30/29	\$664.24
Payment #12	9/30/30	\$664.24
Payment #13	9/30/31	\$664.24
Payment #14	9/30/32	\$664.24
Payment #15	9/30/33	\$664.24

- b. KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC shall maintain a membership in the MAINSTREET DELAWARE, INC.
 - c. KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC shall contact the Superintendent, Delaware Area Career Center for information on adult education and training services.
4. City of Delaware hereby grants KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC a tax exemption for real property improvements made to the PROJECT site pursuant to Section 3735.67 of the Ohio Revised Code and shall be for fifteen (15) years in the following amounts:

<u>Year of Tax Exemption</u>	<u>Tax Exemption Amount</u>
Year 1	100%
Year 2	100%
Year 3	100%
Year 4	100%
Year 5	100%
Year 6	100%
Year 7	100%
Year 8	100%
Year 9	100%
Year 10	100%
Year 11	100%
Year 12	100%
Year 13	100%
Year 14	100%
Year 15	100%

The exemption commences the first full taxable year the facility is 100% complete. No exemption shall commence before December 31, 2017, nor extend beyond December 31, 2033. Said exemption shall be based on the increase on the assessed value of real property attributed to the real property improvements at the PROJECT site. KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC must file the appropriate tax forms (DTE 23) with the County Auditor to effect and maintain the exemptions covered in the agreement.

- 5. A. The City of Delaware **waives** the annual fee equal to the greater of one percent of the dollar value of incentives offered under the agreement or five hundred dollars (ORC3735.671D).

6. KIRBY VENTURES, LLC OR OAK & BRAZEN, LLC shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If KIRBY VENTURES, LLC OR OAK & BRAZEN, LLC fails to pay such taxes or file such returns and reports after written notification, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter (ORC3735.671C2).
7. City of Delaware shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions (ORC3735.671C4).
8. If for any reason the Community Reinvestment Area designation expires, the Director of the Ohio Department of Development revokes certification of the area, or the City of Delaware revokes the designation of the area, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC materially fails to fulfill its obligations under this agreement and the City of Delaware terminates or modifies the exemptions from taxation granted under this agreement (ORC3735.671C5).
9. If KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC materially fails to fulfill its obligations under this agreement, or if the City of Delaware determines that the certification as to delinquent taxes required by this agreement is fraudulent, the City of Delaware may terminate or modify the exemptions from taxation granted under this agreement and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement (ORC3735.671C6).
10. KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC hereby certify that at the time this agreement is executed, KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC do not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC are liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, or, if such delinquent taxes are owed, KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC, currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes (ORC3735.671C3).
11. KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC affirmatively covenants that KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC do not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

12. KIRBY VENTURES, LLC, OAK & BRAZEN, LLC and the CITY OF DELAWARE acknowledge that this agreement must be approved by formal action of the legislative authority of the City of Delaware and approval and execution of this agreement by KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC as a condition for the agreement to take effect (ORC3735.671C10).
13. The City of Delaware has developed a policy to ensure recipients of a Community Reinvestment Area tax benefits practice non-discriminating hiring in its operations. By executing this agreement, KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
14. Exemptions from taxation granted under this agreement shall be revoked if it is determined that KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC any successor property owner, or any related member (as those terms are defined in Division (E) of Section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62 or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections (ORC3735.671C9).
15. KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC affirmatively covenants that it has made no false statements to the State or local political subdivisions in the process of obtaining approval of the Community Reinvestment Area incentives. If any representative of KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC has knowingly made a false statement to the State or local political subdivision to obtain the Community Reinvestment Area incentives, KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC shall be required to immediately return all benefits received under the Community Reinvestment Area Agreement pursuant ORC Section 9.66 (C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC Section 2921.13(D)(1), which is punishable by a fine of not more than \$100 and/or a term of imprisonment of not more than six months.
16. KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC acknowledge that this agreement is not transferable or assignable without the express, written approval of the City of Delaware (ORC3735.671C8).
17. KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC acknowledge that if any person that is party to an agreement granting an exemption from taxation discontinues operations at the structure to which that exemption applies prior to the expiration of the term of the agreement, that person, any successor to that person, and any related member shall not enter into an agreement under this section or sections 5709.62, 5709.63, or 5709.632 of the Ohio Revised Code, and no legislative authority shall enter into such an agreement with such a person, successor, or related member, prior to the expiration of five years after the discontinuation of operations. As used in this division, 'successor' means a person to which the assets or equity of another person has been transferred, which transfer resulted in the full or partial non-recognition of gain or loss, or

resulted in a carryover basis, both as determined by rule adopted by the tax commissioner. 'Related member' has the same meaning as defined in section 5733.042 of the Ohio Revised Code without regard to Division (B) of that section (ORC3735.671E).

18. KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC hereby represent that it has full authority to act, negotiate, and execute this agreement.

IN WITNESS WHEREOF, the City of Delaware, Ohio, by R. Thomas Homan, its City Manager, and pursuant to Ordinance 17-__ adopted on June 12, 2017, has caused this instrument to be executed this ____ day of _____ 2017, KIRBY VENTURES, LLC has caused this instrument to be executed on this ____ day of _____ 2017 and OAK & BRAZEN, LLC has caused this instrument to be executed on this ____ day of _____ 2017.

CITY OF DELAWARE

By: _____
R. Thomas Homan, City Manager

KIRBY VENTURES, LLC

Jeff Kirby, President

OAK & BRAZEN, LLC

Jeff Kirby, President

Approved as to form:

By: _____
Darren Shulman, Delaware City Attorney

School Compensation Agreement
KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC
Community Reinvestment Area #141-1135-01

This agreement between the **City of Delaware**, a municipal corporation, with its offices at 1 South Sandusky Street, Delaware, Ohio 43015; **Delaware City School District Board of Education**, a public school district, with its principal offices at 74 West William St., Delaware, Ohio 43015; **Delaware Area Career Center Board of Education**, a public school district with its principal offices at 4565 Columbus Pike, Delaware, OH 43015, KIRBY VENTURES, LLC, 7100 Cook Rd., Powell, Ohio 43065, and OAK & BRAZEN, LLC, 7100 Cook Rd., Powell, Ohio 43065, specifies the manner in which and procedures to be used pursuant to Ohio Revised Code 3735 authorizing general compensation relating to the Community Reinvestment Area tax abatement for the renovation of a building at 38 E. Winter St. in Delaware's Community Reinvestment Area #141-1135-01.

WHEREAS, the Community Reinvestment Program, pursuant to Chapter 3735 of the Ohio Revised Code authorizes cities and counties to grant real property tax exemptions on eligible new investments; and

WHEREAS, the Council of the City Council of Delaware, Ohio, by Resolution No. 01-52, adopted July 23, 2001, designated the area as a "Community Reinvestment Area" pursuant to Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective September 4, 2001, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution No. 01-52 contains the characteristics set forth in Section 3735.66 of the Ohio Revised Code and confirmed said area as Community Reinvestment Area #141-1135-01 under said Chapter 3735; and

Whereas, effective November 26, 2001, a Delaware City School District Board of Education resolution authorized the Superintendent to act on its behalf to negotiate, approve, and define terms and conditions on any Tax Incentive Agreement; the minutes of the May 2, 2017 Tax Incentive Negotiating Committee document the Superintendent's approval; and

Whereas, effective April 15, 2004, a Delaware Area Career Center Board of Education resolution authorized the Superintendent to act on its behalf to negotiate, approve, and define terms and conditions on any Tax Incentive Agreement; the minutes of the May 2, 2017, Tax Incentive Negotiating Committee document the Superintendent's approval; and

Whereas, the City of Delaware within **Ordinance Number 17-__** adopted on _____, 2017, has acted pursuant to ORC 3735 to grant a tax exemption to **KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC.**, and entered into a

formal Community Reinvestment Area abatement agreement on _____, **2017**; and

Whereas, Item 3(a) of the Community Reinvestment Area Agreement relating to the aforementioned project requires compensation to the Delaware City School District and Delaware Area Career Center for the sole benefit of educational initiatives.

Now therefore, in consideration of the foregoing and of the mutual promises, covenants, and agreements hereinafter set forth by the City of Delaware, Delaware City School District, Delaware Area Career Center and KIRBY VENTURES, LLC AND OAK & BRAZEN, LLC, agree as follows:

Section 1. KIRBY VENTURES, LLC OR OAK & BRAZEN, LLC, shall pay SIX HUNDRED SIXTY-FOUR DOLLARS AND TWENTY-FOUR CENTS (\$664.24) per year for fifteen (15) years to the Delaware City School District and Delaware Area Career Center in accordance with the terms and conditions set forth in Item 3(a) of the Community Reinvestment Area Agreement for the referenced project. This payment shall be made upon receipt of invoices per the instructions set forth in Item 3(a) of the Community Reinvestment Area Agreement relating to the aforementioned project, and the first payment shall be due September 30, 2019 and dispersed per Section 2 of this agreement.

Section 2. The cash payments made by KIRBY VENTURES, LLC OR OAK & BRAZEN, LLC., to the Delaware City School District and Delaware Area Career Center **satisfies ORC Section 5709.82C(2) (School Compensation Agreement is mutually acceptable)** and shall be used for educational initiatives for the sole benefit of the Delaware City Schools and the Delaware Area Career Center, as follows:

a.	Delaware City School District	\$637.21
b.	Delaware Area Career Center	\$27.03
c.	Total	\$664.24

Section 3. This agreement may be amended or modified by the parties, only in writing, signed by all parties to the agreement or by applicable law changes.

Note: All parties agree that if Ohio tax reform results in no net tax incentive benefits (if the sum of tax incentives offered through the Community Reinvestment Area Agreement minus the school compensation payment is negative), KIRBY VENTURES, LLC AND/OR OAK & BRAZEN, LLC may request that the City of Delaware Tax Incentive Review Council recommend agreement modification or termination. No School Compensation payment is required if there is no net tax benefit to KIRBY VENTURES, LLC OR OAK & BRAZEN, LLC..

Section 5. This agreement sets forth the entire agreement and understanding between the parties as to the subject matter contained herein and merges and supersedes all prior discussions, agreements, and undertakings of every kind between the parties with respect to the subject matter of this agreement.

Section 6. All payments, certificates, reports, and notices which are required to or may be given pursuant to the provisions of this agreement shall be sent by regular mail, postage prepaid, and shall be deemed to have been given or delivered when so mailed to the following addresses:

R. Thomas Homan, City Manager
City of Delaware
1 South Sandusky Street
Delaware, Ohio 43015

Paul A. Craft, PhD, Superintendent
Delaware City School District
74 W. William St.
Delaware, Ohio 43015

Mary Beth Freeman, Superintendent
Delaware Area Career Center
4565 Columbus Pike
Delaware, Ohio 43015

Jeff Kirby, President
KIRBY VENTURES, LLC
7100 Cook Rd.
Powell, OH 43065

Jeff Kirby, President
OAK & BRAZEN, LLC.
7100 Cook Rd.
Powell, OH 43065

Any party may change its contact or mailing address for receiving notices and reports by giving written notice of such change to the other parties.

Section 7. The invalidity of any provision of this agreement shall not affect the other provisions of this agreement, and this agreement shall be construed in all respects as if any invalid portions were omitted.

In witness whereof, the parties have caused this Agreement to be executed as of this **day of** **2017**.

CITY OF DELAWARE

R. Thomas Homan

DELAWARE CITY SCHOOL DISTRICT

Paul A. Craft, Superintendent

DELAWARE AREA CAREER CENTER

Mary Beth Freeman, Superintendent

KIRBY VENTURES, LLC.

Jeff Kirby, President

OAK & BRAZEN, LLC.

Jeff Kirby, President

Approved as to form:

By: _____
Darren Shulman, Delaware City Attorney



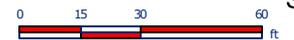
38 E. Winter St. - Kirby Ventures LLC

Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County.
Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and this information cannot be constructed or used as a "legal description" of a parcel.
Flood Plain information is obtained from FEMA and is administered by the Delaware County Building Department (740-833-2201).
Please report any errors or omissions to the Delaware County Auditor's office at delcogis@co.delaware.oh.us.
Prepared by: Delaware County Auditor's GIS Office



Delaware County Auditor
George Kaitsa

Printed on 5/26/2017





FACT SHEET

AGENDA ITEM NO: 14

DATE: 6/12/2017

ORDINANCE NO: 17-39

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Sean Hughes, Economic Development Director
David Efland, Director of Planning and Community Development

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR AN AMERICAN ELECTRIC POWER GRANT TO COMPLETE A SIGN PLAN AND BID DOCUMENTS FOR A REPLACEMENT INDUSTRIAL PARK SIGN APPROXIMATELY AT PITTSBURGH DRIVE AND LONDON ROAD.

BACKGROUND:

We are requesting City Council's approval to use a \$5,000 American Electric Power grant the city received in 2016 to design (up to and including bid documents) a replacement industrial park sign at Pittsburgh Dr. and London Rd. The city received the AEP Grant for the purpose of redesigning a replacement industrial park sign, but the work was not contracted in 2016. The City will be contracting with Guide Studio (formerly Studio Graphique) for the work so that it is consistent with the overall branding, wayfinding, and industrial wayfinding plans and designs.

REASON WHY LEGISLATION IS NEEDED:

We wish to use the grant money for the intended purpose of redesigning the industrial park sign at Pittsburgh Dr. and London Rd.

A supplemental appropriation of the 2017 Budget will be needed to authorize the increase to the 2017 Budget appropriated the funds for the intended purpose.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

\$5,000 from the General Fund (received in 2016) to be allocated to General Administration - Reimbursable-Grants (101-0032-5602). As these funds were received previously from AEP into the general fund for these purposes, there should be no net fiscal impacts for this portion of the project.

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Director of Planning and Community Development
Sean Hughes, Economic Development Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

N/A

ORDINANCE NO. 17-39

AN ORDINANCE AMENDING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR AN AMERICAN ELECTRIC POWER GRANT TO COMPLETE A SIGN PLAN AND BID DOCUMENTS FOR A REPLACEMENT INDUSTRIAL PARK SIGN APPROXIMATELY AT PITTSBURGH DRIVE AND LONDON ROAD.

WHEREAS, the city received a \$5,000 grant from American Electric Power (AEP) in 2016 for the purposes of designing a replacement industrial park sign at Pittsburgh Dr. and London Rd.; and

WHEREAS, the work was not contracted in 2016; and

WHEREAS, the City has separately contracted with Guide Studio to perform an industrial area-wide wayfinding and signage study and intends to contract with them to perform a detailed redesign of the existing industrial sign utilizing this AEP grant; and

WHEREAS, the adopted 2017 Budget did not include specifically appropriating this AEP Grant from the General Fund; and

WHEREAS, the City had previously received the grant funds from AEP into the general fund; and

WHEREAS, a supplemental appropriation to the 2017 Budget will be needed to authorize the increase to the 2017 Budget appropriated the funds for the intended purpose.

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

SECTION 1. That there is hereby appropriated from the unencumbered balance of the General Fund \$5,000 increasing the following account:

General Administration	
Reimbursable-Grants (101-0032-5602)	\$ 5,000

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 Ohio Revised Code.

VOTE ON RULE SUSPENSION:

YEAS___NAYS___
ABSTAIN ___

PASSED: _____, 2017

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 15

DATE: 06/12/2017

ORDINANCE NO: 17-40

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, P.E., Director of Public Works/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE SUPPLEMENTING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR ENGINEERING WAGES, AND DECLARING AN EMERGENCY.

BACKGROUND:

The Public Works Department – Division of Traffic & Engineering Services – for the past decade has provided land development construction inspection services utilizing one full time City employee (Construction Inspection Manager) overseeing multiple inspectors procured from engineering consulting firms. The majority of the cost (some years all cost) to provide these services is reimbursed through a flat fee invoiced before the inspection services are provided. The construction activity on land development projects will be at record levels in 2017. On average over the past few years, the City has utilized the services of 6-8 inspectors during peak construction season. It is predicted that we may need 10-12 inspectors this year, based on the amount of requests for pre-construction meetings from the development community. Rather than relying on the private sector to provide all additional help needed, seasonal City employees will be the mechanism to bring talent into Public Works for the peak construction season. Also, the pay rate for the Seasonal Construction Inspector position (\$21.41-\$25.29/hr) is much lower than the City is currently paying for a private consultant (\$56.19/hr) to provide an inspector. Based on the number of qualified candidates that apply for this year's positions, Public

Works may consider increasing the number of seasonal (in-house) inspectors and reducing our reliance on consulting services.

REASON WHY LEGISLATION IS NEEDED:

The current 2017 appropriation for Engineering Wages did not contemplate utilizing seasonal help to cover the gap in construction inspection. The construction activity in 2017 will be higher than anticipated in late 2016 when the current budget was prepared.

COMMITTEE RECOMMENDATION:

None

FISCAL IMPACT(S):

The flat fees *invoiced* for so far in 2017 for inspection services total \$1,132,000. The current projected amount that will be spent on private consultant inspectors in 2017 is \$700,000. Not all invoices have been paid to date, so this number is higher than current revenue reports. The purpose of inspection fees is to cover the cost of 1) private consultants, 2) in-house construction inspection manager, and 3) a percentage of in-house technician and project engineering hours, and 4) a small percentage of administrative hours. Public Works is proposing that that inspection fees also cover seasonal construction inspector positions, as well. It should be further noted that the 2017 Budget includes a \$500,000 appropriation for Engineering Professional Services - Development. This accounts pays the invoices the City receives for private consulting inspection and plan review services It is anticipated that this account will have to be supplemented at some point during the 3rd quarter of this year, once more precise 2017 inspection cost estimates become available.

POLICY CHANGES:

None

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer

RECOMMENDATION:

Approval at Second Reading

ATTACHMENT(S)

None

ORDINANCE NO. 17-40

AN ORDINANCE SUPPLEMENTING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR ENGINEERING WAGES, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Delaware and its agents, provide construction inspection services through the Public Works Department – Division of Traffic & Engineering Services, for infrastructure elements of development projects; and

WHEREAS, the provision of construction inspection services is an integral part in assuring the quality of new infrastructure constructed within and dedicated to the City; and

WHEREAS, the cost to the City of providing these services is charged to and reimbursed back to the City by the individual developers; and

WHEREAS, the City is in the process of hiring two (2) Seasonal Construction Inspectors to increase the capacity of construction inspection services for development activity; and

WHEREAS, the amount included in the 2017 Budget to pay for Engineering Wages does not include these seasonal hours; and

WHEREAS, a supplemental appropriation will be necessary to commence providing these enhanced construction inspection services in 2017.

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

SECTION 1. That there is hereby transferred from the unencumbered balance of the Engineering Division Account:

101.0065.5231	Professional Services Development	\$50,000
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Increasing the following account within Engineering:

101.0062.5100	Wages	\$50,000
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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 Ohio Revised Code.

SECTION 3. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City and for the further reason to provide for the timely review of development plans and for the continued utilization of construction inspection services, and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS___NAYS___
ABSTAIN ___

VOTE ON EMERGENCY CLAUSE:

YEAS___ NAYS___
ABSTAIN ___

PASSED: _____, 2017

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____

CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 16

DATE: 06/12/2017

ORDINANCE NO: 17-41

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Judge David Sunderman and Judge Marianne Hemmeter

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES.

BACKGROUND:

The Municipal Court is reclassifying a position in the Community Control Department. While the position's salary is within the range of the prior classification, a change is needed to give the position the updated title (Deputy Chief Community Control Officer). The overall head count will remain the same.

REASON WHY LEGISLATION IS NEEDED:

Absent this change the employee would be unable to be titled Deputy Chief Community Control Officer.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

This legislation only impacts the title of the job. The employee getting reclassified will have an increase in salary, however the salary is within the range of the existing classification.

POLICY CHANGES:

N/A

PRESENTER(S):

Judge David Sunderman or Judge Marianne Hemmeter

RECOMMENDATION:

Approval

ATTACHMENT(S)

Amended Portion of Pay Plan

ORDINANCE NO. 17-41

AN ORDINANCE AMENDING THE DELAWARE
MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE
BENEFITS AND LEAVE POLICIES.

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

SECTION 1. That the Delaware Municipal Court and Clerk of Court Employee Benefits and Leave Policies shall be amended to reflect the noted changes (attached hereto).

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.

PASSED: _____, 2017

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

Services Department and employees must abide by the stipulations set forth by the department both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. In addition, the City will provide to each member a 20% discount on all individual registrations for City recreation programs.

Revised Nov. 2016

Policy 33. On-Call Compensation

Both exempt and non-exempt employees of the Clerk of Court will be eligible for on-call compensation for weekly periods when assigned the responsibility of responding to law-enforcement requests during non-scheduled work periods. Employees assigned to this on-call status will serve in this posture for weekly time periods as authorized by the Clerk or by the Clerk's designee. Employees assigned to on-call status will be compensated at a weekly rate of between \$25 and \$50 as determined by the Clerk of Court. On-call compensation will be added to regular and overtime wages earned during the pay period and will be paid as taxable income through the bi-weekly payroll process.

Policy 34. Salary Ranges

Each employee is required to pay all required employee contributions to the Ohio Public Employees Retirement System (OPERS).

SALARY RANGES - MUNICIPAL COURT:

JOB TITLE	HOURLY WAGE		ANNUAL SALARY	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
OFFICE ASSISTANT	\$12.37	\$17	\$25,730	\$35,360
ADMINISTRATIVE ASSISTANT	\$14.53	\$20	\$30,222	\$41,600
BAILIFF/SECURITY OFFICER	\$16.28	\$27	\$33,662	\$56,160
COMMUNITY CONTROL OFFICER	\$16.35	\$28	\$34,000	\$58,240
OVI DOCKET COORDINATOR/ COMMUNITY CONTROL OFFICER	\$16.35	\$28	\$34,000	\$58,240
ASSIGNMENT ADMINISTRATOR	\$18.81	\$28	\$39,125	\$58,240
*ASSIGNMENT COMMISSIONER/JURY COMMISSIONER	\$18.81	\$28	\$39,125	\$58,240
ADMIN. ASSISTANT/JURY COMMISSIONER	\$18.81	\$28	\$39,125	\$58,240
CHIEF COMMUNITY CONTROL OFFICER	\$20.74	\$32	\$43,139	\$66,560
**DEPUTY CHIEF COMMUNITY CONTROL OFFICER	\$20.74	\$32	\$43,139	\$66,560
MAGISTRATE	\$34.67	\$52	\$72,114	\$108,160

Revised Nov. 2016

* Position effective 11-28-16

Revised May 2017

**Position effective 05-31-17



FACT SHEET

AGENDA ITEM NO: 17

DATE: 06/12/2017

ORDINANCE NO: 17-42

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dean P. Stelzer, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING THE MANGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN.

BACKGROUND:

This pay ordinance change puts it place a position reclassification approved as part of the 2017 Budget. The Financial Specialist II position in the Finance Department is being reclassified as a Cost Accounting position. The current Financial Specialist II is retiring at the end of September. The reclassified position would take on additional responsibilities related to internal cost of service account in order to facilitate a sustainable performance based accounting and budgeting system. The current Financial Specialist II position is at pay grade M8, the reclassified Cost Accounting position would be at pay grade M12.

REASON WHY LEGISLATION IS NEEDED:

We will begin recruiting for the reclassified position soon.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

Reclassification included in the 2017 Budget.

POLICY CHANGES:

PRESENTER(S):

Dean Stelzer, Finance Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

Section I: Wages and Pay Plan

ORDINANCE NO. 17-42

AN ORDINANCE AMENDING THE MANGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN.

WHEREAS, the 2017 Budget for the City of Delaware included funding to reclassify the existing position of Financial Specialist II in the Finance Department to a Cost Accountant position; and

WHEREAS, the City is planning to start the recruitment process for the reclassified position soon; and

WHEREAS, the pay plan needs to be amended adding the Cost Accountant position.

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

SECTION 1. That the Management, Professional, Technical, Confidential and Supervisory Pay Plan shall be amended to reflect the changes noted in the attachment.

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 Ohio Revised Code.

VOTE ON RULE SUSPENSION:

YEAS___NAYS___
ABSTAIN ___

PASSED: _____, 2017

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____

CITY CLERK

MAYOR

SECTION I WAGES AND PAY PLAN

A. Non-Union Employee Pay Plan

The following pay schedule is to be effective December 28, 2016 and the table below reflects a 2% increase for each step. Step increases shall take effect the first full pay period following the employee's anniversary date.

<u>PAY GRADE</u>	<u>POSITION</u>
M1	Administrative Assistant, Police Administrative Aide, Desktop Technician, Clerk of Council
M2	Airport Technician, Watershed Coordinator, Police Assistant
M3	Economic Development Communications Specialist
M4	Cemetery Manager, Financial Specialist I, Arborist
M5	CMMS Analyst, Administrative Services Specialist, Right-of-Way Inspector, Zoning Technician, CMMS/CSR Technician
M6	Police Technician
M7	Building & Code Enforcement Officer I, Customer Service Liaison, Facility Maintenance Supervisor
M8	Engineering Technician, Airport Operations Supervisor, Division Supervisor, Financial Specialist II, Executive Assistant, Building & Code Enforcement Officer II, Golf Course Superintendent, Project Manager I, Collections Manager
M9	Assistant City Attorney/Prosecutor
M10	Development Planner
M11	No Current Position
M12	GIS Coordinator, Project Manager II, Airport Manager, Construction Inspection Manager, IT Project Coordinator, Budget Analyst, COST ACCOUNTANT
M13	Vacant
M14	Information Systems & Network Administrator, Human Resource Manager, Assistant Prosecutor, Database Analyst
M15	Project Engineer I, Assistant Water Manager, Assistant Wastewater Manager, Parks Superintendent
M16	No current position
M17	Project and Maintenance Manager, Public Works Superintendent, Accountant, Zoning Administrator, Water Manager, Wastewater Manager, Community Affairs Coordinator, Project Engineer II, Income Tax Administrator
M18	Project Engineer III
M19	Deputy City Engineer
M20	No current position



FACT SHEET

AGENDA ITEM NO: 18

DATE: 06/12/2017

ORDINANCE NO: 17-43

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE FOR PULTE HOMES APPROVING A FINAL DEVELOPMENT PLAN FOR THE COMMUNITIES AT GLENROSS SECTION 11 FOR 58 SINGLE FAMILY LOTS ON 22.74 ACRES ON PROPERTY ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED SOUTH OF CHESHIRE ROAD ON WINTERBOURNE DRIVE, SOLSTICE ROAD, STONE QUARRY DRIVE AND HOLLY BERRY LANE.

BACKGROUND:

See attached report

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1129.05 Final Development Plan requirements of the zoning code.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on June 7, 2017.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)

See attached

ORDINANCE NO. 17-43

AN ORDINANCE FOR PULTE HOMES APPROVING A FINAL DEVELOPMENT PLAN FOR THE COMMUNITIES AT GLENROSS SECTION 11 FOR 58 SINGLE FAMILY LOTS ON 22.74 ACRES ON PROPERTY ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED SOUTH OF CHESHIRE ROAD ON WINTERBOURNE DRIVE, SOLSTICE ROAD, STONE QUARRY DRIVE AND HOLLY BERRY LANE.

WHEREAS, the Planning Commission at its meeting of June 7, 2017 recommended approval of a Final Development Plan for Pulte Homes for the Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane (PC 2017-1030).

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

SECTION 1. That the Final Development Plan for Pulte Homes for the Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final 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. An emergency access point from Cheshire Road to Stone Quarry Drive shall be constructed on the western portion of Section 11. The emergency drive shall 12 feet wide with a concrete approach at Cheshire Road with bollards that can be driven over by emergency vehicles.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single family houses shall comply with the minimum architectural

- standards and house size in the approved development text and per applicable sections of the current zoning code.
5. The Cheshire Road and Winterbourne Drive buffering shall match or be enhanced above the existing buffering in the The Glenross Golf Club and Communities at Glenross east of this development. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
 6. A street tree plan shall be submitted and approved by the Shade Tree Commission.
 7. A more robust landscaping plan adjacent to the six residential houses and the retention pond in the County shall be required and approved by staff per the approved Preliminary Development Plan.
 8. Landscaping adjacent to the proposed emergency access drive from Cheshire Road to Stone Quarry Drive shall be required and the subject trees adjacent to the residential houses east and west of emergency access drive shall be a minimum 15 feet from centerline of the emergency access drive.
 9. Staff recommends that some of the open space in Reserve "I" should be allocated (or at least not precluded) for the condominium association to provide active space with amenities geared to independent seniors and empty nesters if so desired in the future.
 10. The bike path along Winterbourne Drive shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
 11. This section of the Communities of Glenross Subdivision is in the Delaware South New Community Authority, subject to the single family lot transportation fee in effect for the Glenross Golf Club at the time of building permit issuance and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling units.
 12. Eagle Walk Drive shall be renamed to Winterbourne Drive.
 13. Wolf Crest Road shall be renamed to Solstice Road.
 14. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

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: _____, 2017

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2017-1030 & 1031

REQUEST: Multiple Requests

PROJECT: Communities at Glenross – Section 11

MEETING DATE: June 7, 2017

APPLICANT/OWNER

Pulte Homes
4900 Tuttle Crossing Boulevard
Dublin, Ohio 43016

REQUEST

2017-1030: A request by Pulte Homes for approval of a Final Development Plan for Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located south of Cheshire Road on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane..

2017-1031: A request by Pulte Homes for approval of a Final Subdivision Plat for Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located south of Cheshire Road on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane.

PROPERTY LOCATION & DESCRIPTION

The subject property is located on the south side of Cheshire Road just west of proposed Winterbourne Drive and just east of the Glenross Golf Course. The subject site is zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District). The properties to the east, south and west are zoned R-2 PMU while the six residential properties to the north are zoned residential in the County.

BACKGROUND

This project has an extensive zoning history that dates back to 2006 but the most recent significant action that pertains to the development south of Cheshire Road occurred in August 2016. At that time, City Council approved an amendment to the Zoning and Development Text, an amendment to the Preliminary Development Plan and an amendment to the Preliminary Subdivision Plat for the Communities at Glenross Sections 11-22.

Sections 11 and 12 are the 106 detached single family condominium portion of the development that is targeted to independent seniors and “empty nesters” seeking lower exterior maintenance and a community association. Now the developer is requesting a Final Development Plan and Final Subdivision Plat for Section 11 which consists of 58 single family lots on 22.74 acres.

STAFF ANALYSIS

- **ZONING:** As mentioned above, the zoning for the subject site is R-2 PMU which has a specific development plan and text for the subject development. From a procedural perspective, Final Development Plans and Final Subdivision Plats would need to be reviewed and approved by the Planning Commission and City Council for each section.
- **DEVELOPMENT TEXT:** The development text sets forth development standards for the residential development which has specific development text for the entire development pertaining to permitted uses, density, lot size, minimum dwelling size, building setbacks, landscaping, lighting, architectural elevations, etc. Sections 11 and 12 are in Sub-Area III of approved the Preliminary Development Plan and Preliminary Subdivision Plat. The development plan and text is sensitive to the existing residential surroundings while providing an appropriate transition to a very active pair of railroad tracks operated separately by Norfolk & Southern and CSX.
- **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.
- **UTILITIES:** The site would be serviced by City sanitary sewer (SE Highland trunk sewer) and water that would have to be extended by the developer from the existing development. An overall storm water master

plan for the remainder of the development is required per the City Engineer. In addition, all retention ponds should be setback a minimum of 80 feet from the edge of pavement for roads per the City Engineer.

- **ROADS AND ACCESS:** Section 11 is located south of Cheshire Road and would be accessed from Winterbourne Drive (the current plan identifies this road as Eagle Walk Drive which needs to be revised) which is the main north/south spine road for Sections 11-22 located south of Cheshire Road. Solstice Road and Stone Quarry Drive extend westerly into the development while Holly Berry Lane is a north/south stub between Section 11 and 12 (the Wolf Crest Road name shall be renamed Solstice Road). An emergency access point from Cheshire Road to Stone Quarry Drive is proposed on the western portion of Section 11 per City Council's last approval. The emergency drive shall be 12 feet wide with a concrete approach at Cheshire Road with bollards that can be driven over by emergency vehicles. All the streets are public and would have sidewalks on both sides of the street.
- **PEDESTRIAN CONNECTIVITY:** The pedestrian connectivity plan does not identify any bike paths in Section 11 (except for the bike path along Winterbourne Drive) with the relocated retention ponds, buffering and emergency access road located in Reserve "I" between Section 11 and the six residential houses in the County along Cheshire Road. But as mentioned above there would be sidewalks on both sides of the public streets.
- **LOT LAYOUT & SIZE:** As mentioned above, the main entrance into Section 11 is located just south of Cheshire Road on the west side of Winterbourne Drive. The looped double loaded streets in Sections 11 and 12 (Section 11 is the northern half loop of the layout) with lots in a typical subdivision design extends into the Golf Club at Glenross style lots (80 foot wide lots) in Sections 13 and 14 that connect back into Winterbourne Drive in Section 13. In addition, a north/south street (Holly Berry Lane) connects the looped street for an additional means of egress. Per the approved development text, the subject lots in Sections 11 would be a minimum lot area of 6,500 square feet with minimum 50 feet lot widths and 130 feet lot depths. The front yard setback would be 25 feet, the rear yards setback would be 15 feet and the side yard setback would be 5 feet with a minimum house size of 1,600 square feet for a single story dwelling and 1,800 square feet for a multi-story dwelling. The development is buffered from the six existing single family county lots to the north by Reserve "I" which contains landscaping, two retention ponds and an emergency access drive. Also Reserve "I" buffers Section 11 from Winterbourne Drive with landscaping and a bike path to the east. Furthermore, lots 11970, 11971 and 11984 are designated reserves areas. Finally, the subject condominium development would have a homeowners association that would have a common maintenance plan for lawn, landscaping and snow removal on each owner's lot and reserve areas.
- **BUILDING DESIGN:** The design requirements for The Communities at Glenross south of Cheshire Road are based on the housing options in each Section and Sub-Area per the approved development text. The detached condominium design requirements in Sections 11 and 12 would include (see enclosed development text for Sub-Area III): 1.) At least 25% of the front façade elevation of each building (excluding garage doors, entrance doors, gutters, shutters, downspouts and windows) shall consist of natural materials, such as brick or stone. 2.) All vinyl siding shall have a minimum thickness of 0.044 inches; 3.) Gutters (and the material by which they are attached to the home), downspouts, soffits, shutters, garage and entrance doors may be of man-made materials such as metal, vinyl, aluminum or glass; 4.) No concrete or split face block shall be permitted, except for basement or foundation walls; 5.) The roofs of all homes shall have dimensional shingles. In addition, the homes shall achieve compliance with Residential Development Design Criteria and Performance Standards in Chapter 1171.08. Pulte Homes has supplied Glenross South Age Targeted Single Family Residential exhibits with representative elevations, floor plans and color pallet of the proposed condominium units.
- **LANDSCAPING & SCREENING:** A comprehensive landscape plan has been submitted which includes street trees, mounding and landscaping along Cheshire Road and Winterbourne Drive, landscaping adjacent to the six residential houses to the north in the County. Per the approved Preliminary Development Plan and Preliminary Subdivision Plat, staff would require a more intense landscaping plan adjacent to the six residential houses and retention ponds in the County along with the installation of landscaping adjacent to the proposed emergency access drive from Cheshire Road to Stone Quarry Drive. The subject trees installed adjacent to the residential houses east and west of emergency access drive shall be a minimum 15 feet from

centerline of the emergency access drive. All landscape plans would require review and approval by the Shade Tree Commission.

- **OPEN SPACE/PARKLAND:** The Communities at Glenross Sections 11-22 has approximately 61.5 acres of open space (approximately 29.2%) in several reserve areas south of Cheshire Road. The detached condominium development in Section 11 and 12 has 17.7 acres of open space/parkland. The majority of the open space in Section 11 (Reserve I – 8.574 acres) contains two retention ponds, mounding and landscaping and an emergency access drive. Staff recommends that some of the open space should be allocated (or at least not precluded) for the condominium association to provide active space with amenities geared to independent seniors and empty nesters if so desired in the future. The reserve area in Section 12 would have more useable open space based on the overall layout of subdivision south of Cheshire Road. All open space/parkland in Section 11 shall be privately owned and maintained but open to the public.

From a macro perspective, the developer has a robust program on the 22.705 acres of open space in Sections 9 (approximately 5.6 acres) and 10 (approximately 17.1 acres) located just north of Cheshire Road east and west of the proposed roundabout which is proposed to be completed this summer. The amenities in Section 9 include a large pool and restroom facility, a parking lot and retention pond. The amenities in Section 10 include approximately 7.5 acres of active parkland programmed with a tot lot, shelter house, basketball court, volleyball court and recreational fields while the remaining approximately 10.1 acres is a detention/retention basin next to the railroad tracks. Every homeowner in the Communities at Glenross would have access to the open spaces and amenities.

- **TREE PRESERVATION:** The developer has provided a tree inventory for Section 11 of trees being removed and a landscape plan identifying new trees being installed less the required street trees. The developer is removing 9 qualified trees totaling 106 caliper inches while 55 deciduous trees (minimum 2.5 caliper inches) and 21 evergreen trees (minimum 6 foot high at installation) are being planted. Therefore it appears the developer achieved compliance with Chapter 1168 Tree Preservation Regulations.
- **LIGHTING PLAN:** The lighting plan for Section 11 was approved by the Chief Building Official on May 17, 2017.
- **SIGNAGE:** The subdivision entrance wall signs and stone piers east and west of Winterbourne Drive just south of Cheshire Road appears to be consistent other “Glenross” entrance signs in size, material and signage. All other signage shall achieve compliance with the Graphics and Signage requirements in the development text and the previously approved (and partially developed) wayfinding system and plan for the community.
- **PHASING:** Per the approved Preliminary Subdivision Plat, Section 12 would be the next section to be developed within the subdivision developed in twelve sections (11-22) from north to south on the west side of Winterbourne Drive and then from north to south on the east side of Winterbourne Drive. To ensure compliance with City emergency service requirements, it is important each section should be constructed in sequence as proposed. If developed in a different sequence additional access requirements including at a minimum providing adequate emergency access would likely be required. With multiple Sub-Areas and many more development sections the Communities at Glenross, it is important for reference and tracking purposes that the plans and plats for each section have appropriate nomenclature that correlates the sections to the applicable Zoning Sub-Areas. Therefore all plans and plats that reference a section or phase must include the Zoning Sub-Area name either in the title or some form approved by City Staff.

STAFF RECOMMENDATION – (2017-1030 FINAL DEVELOPMENT PLAN)

Staff recommends approval of a request by Pulte Homes of a Final Development Plan for The Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located south of Cheshire Road on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane, with the following conditions that:

1. The Applicant needs to obtain final 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. An emergency access point from Cheshire Road to Stone Quarry Drive shall be constructed on the western portion of Section 11. The emergency drive shall 12 feet wide with a concrete approach at Cheshire Road with bollards that can be driven over by emergency vehicles.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single family houses shall comply with the minimum architectural standards and house size in the approved development text and per applicable sections of the current zoning code.
5. The Cheshire Road and Winterbourne Drive buffering shall match or be enhanced above the existing buffering in the The Glenross Golf Club and Communities at Glenross east of this development. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
6. A street tree plan shall be submitted and approved by the Shade Tree Commission.
7. A more robust landscaping plan adjacent to the six residential houses and the retention pond in the County shall be required and approved by staff per the approved Preliminary Development Plan.
8. Landscaping adjacent to the proposed emergency access drive from Cheshire Road to Stone Quarry Drive shall be required and the subject trees adjacent to the residential houses east and west of emergency access drive shall be a minimum 15 feet from centerline of the emergency access drive.
9. Staff recommends that some of the open space in Reserve "I" should be allocated (or at least not precluded) for the condominium association to provide active space with amenities geared to independent seniors and empty nesters if so desired in the future.
10. The bike path along Winterbourne Drive shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
11. This section of the Communities of Glenross Subdivision is in the Delaware South New Community Authority, subject to the single family lot transportation fee in effect for the Glenross Golf Club at the time of building permit issuance and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling units.
12. Eagle Walk Drive shall be renamed to Winterbourne Drive.
13. Wolf Crest Road shall be renamed to Solstice Road.
14. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.

STAFF RECOMMENDATION – (2017-1031 FINAL SUBDIVISION PLAT)

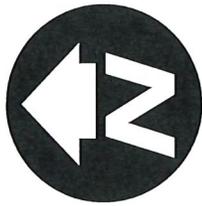
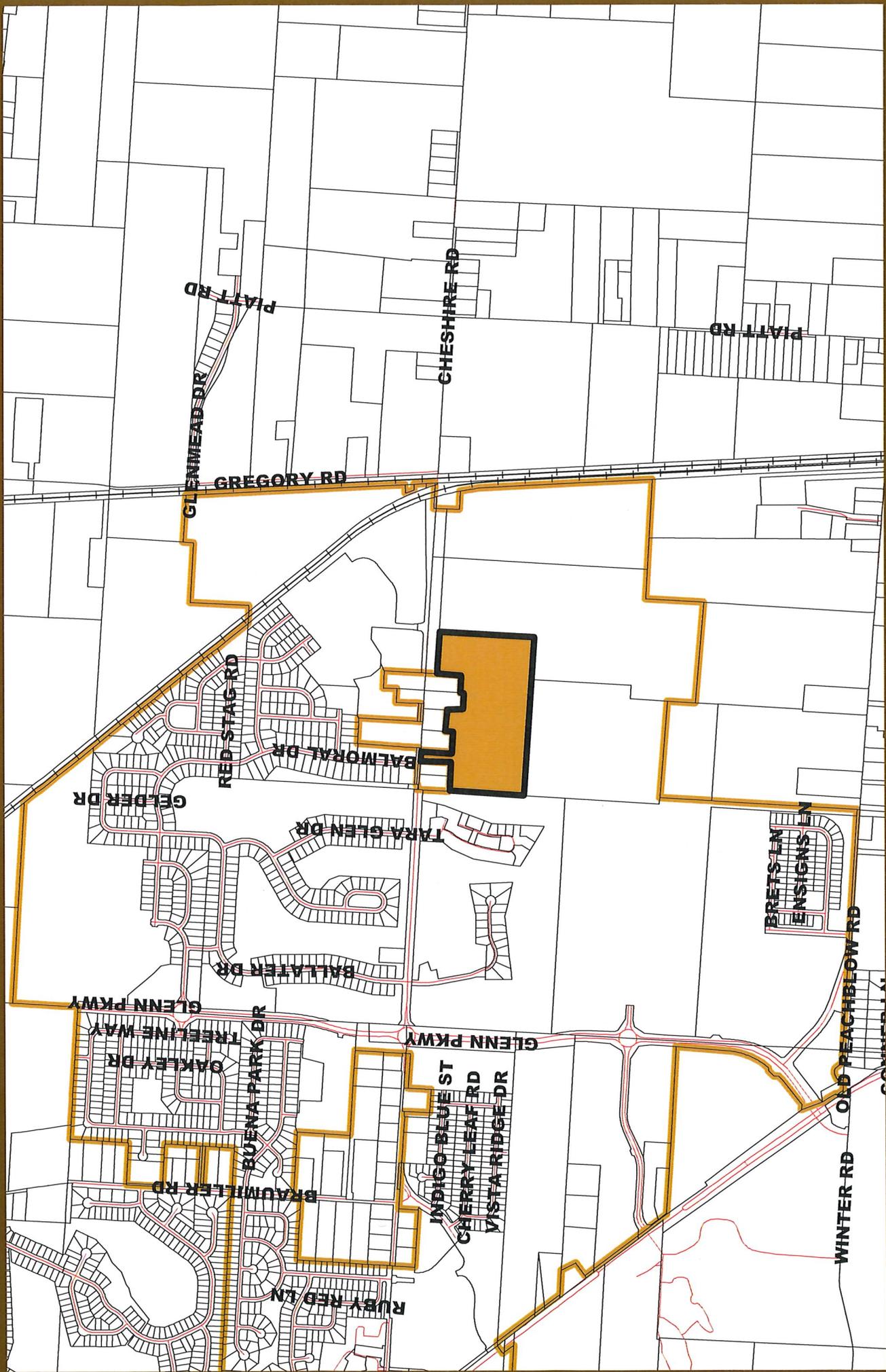
Staff recommends approval of a request by Pulte Homes of a Final Subdivision Plat for The Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located south of Cheshire Road on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane, with the following conditions that:

1. The Applicant needs to obtain final 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. An emergency access point from Cheshire Road to Stone Quarry Drive shall be constructed on the western portion of Section 11. The emergency drive shall be 12 feet wide with a concrete approach at Cheshire Road with bollards that can be driven over by emergency vehicles.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single family houses shall comply with the minimum architectural standards and house size in the approved development text and per applicable sections of the current zoning code.
5. The Cheshire Road and Winterbourne Drive buffering shall match or be enhanced above the existing buffering in the The Glenross Golf Club and Communities at Glenross east of this development. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's

- Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
6. A street tree plan shall be submitted and approved by the Shade Tree Commission.
 7. A more robust landscaping plan adjacent to the six residential houses and the retention pond in the County shall be required and approved by staff per the approved Preliminary Development Plan.
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 9. Staff recommends that some of the open space in Reserve "I" should be allocated (or at least not precluded) for the condominium association to provide active space with amenities geared to independent seniors and empty nesters if so desired in the future.
 10. The bike path along Winterbourne Drive Road shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
 11. This section of the Communities of Glenross Subdivision is in the Delaware South New Community Authority, subject to the single family lot transportation fee in effect for the Glenross Golf Club at the time of building permit issuance and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling units.
 12. Eagle Walk Drive shall be renamed to Winterbourne Drive.
 13. Wolf Crest Road shall be renamed to Solstice Road.
 14. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.
 15. The construction drawings of Section 11 shall not be approved until the widening of Cheshire Road begins.

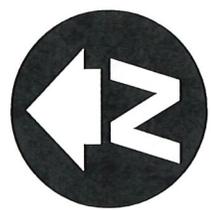
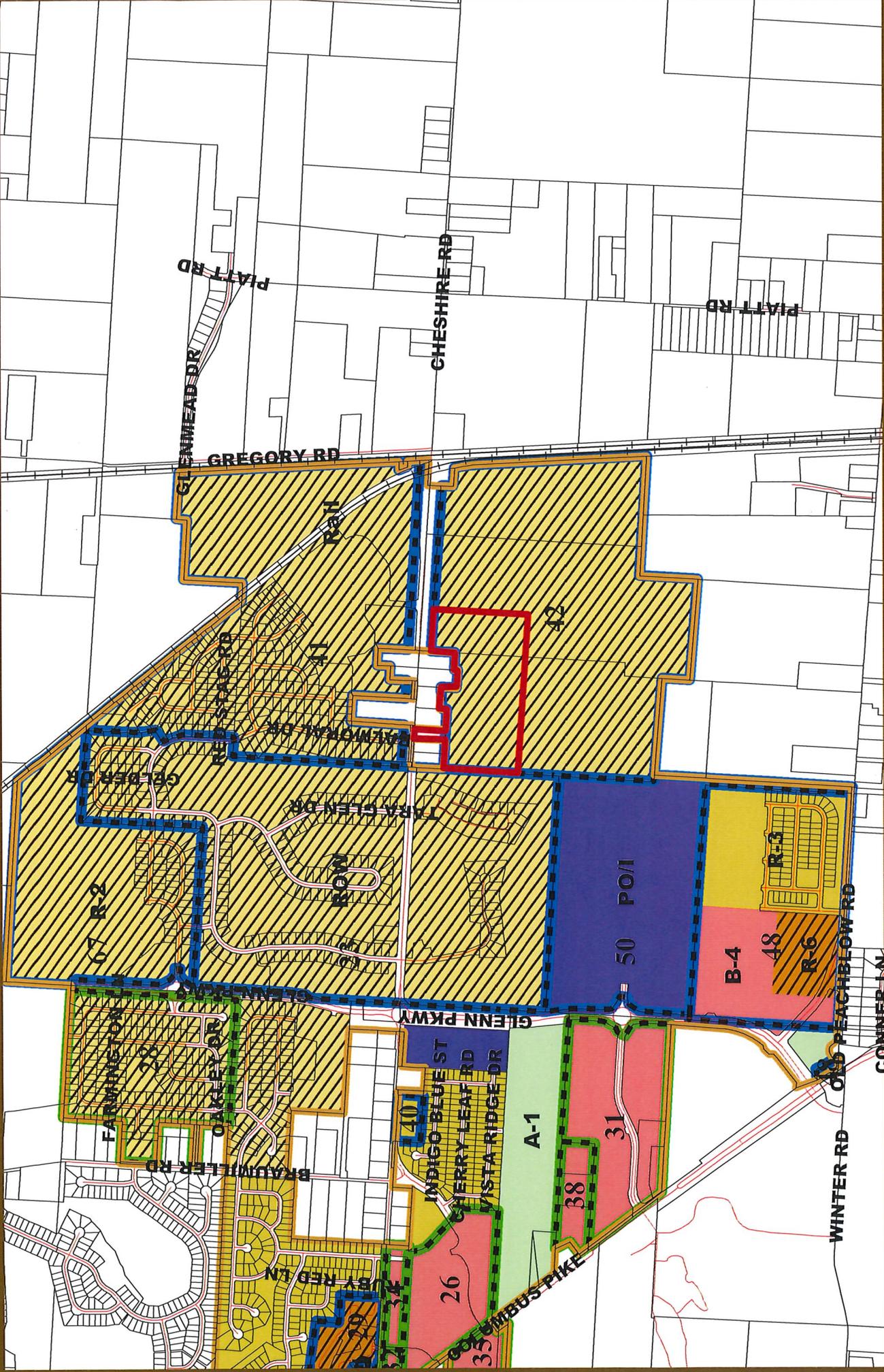
COMMISSION NOTES:

FILE:
ORIGINAL: 06/01/17
REVISED:



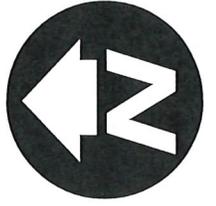
2017-1030 & 1031
 Final Development Plan & Final Subdivision Plat
 Communities at Glenross - Section 11
 Location Map





2017-1030 & 1031
 Final Development Plan & Final Subdivision Plat
 Communities at Glenross - Section 11
 Zoning Map





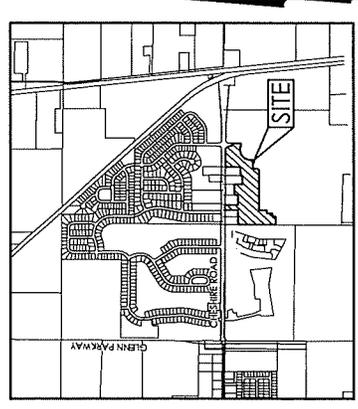
2017-1030 & 1031
Final Development Plan & Final Subdivision Plat
Communities at Glenross - Section 11
Aerial 2016



COMMUNITIES AT GLENROSS

SECTION 11

FINAL DEVELOPMENT PLAN



LOCATION MAP
NO SCALE

PREPARED FOR:



4900 TUTTLE CROSSING BOULEVARD
DUBLIN, OHIO 43016
PH. 614-356-5833

SUBMITTAL: MAY 1, 2017

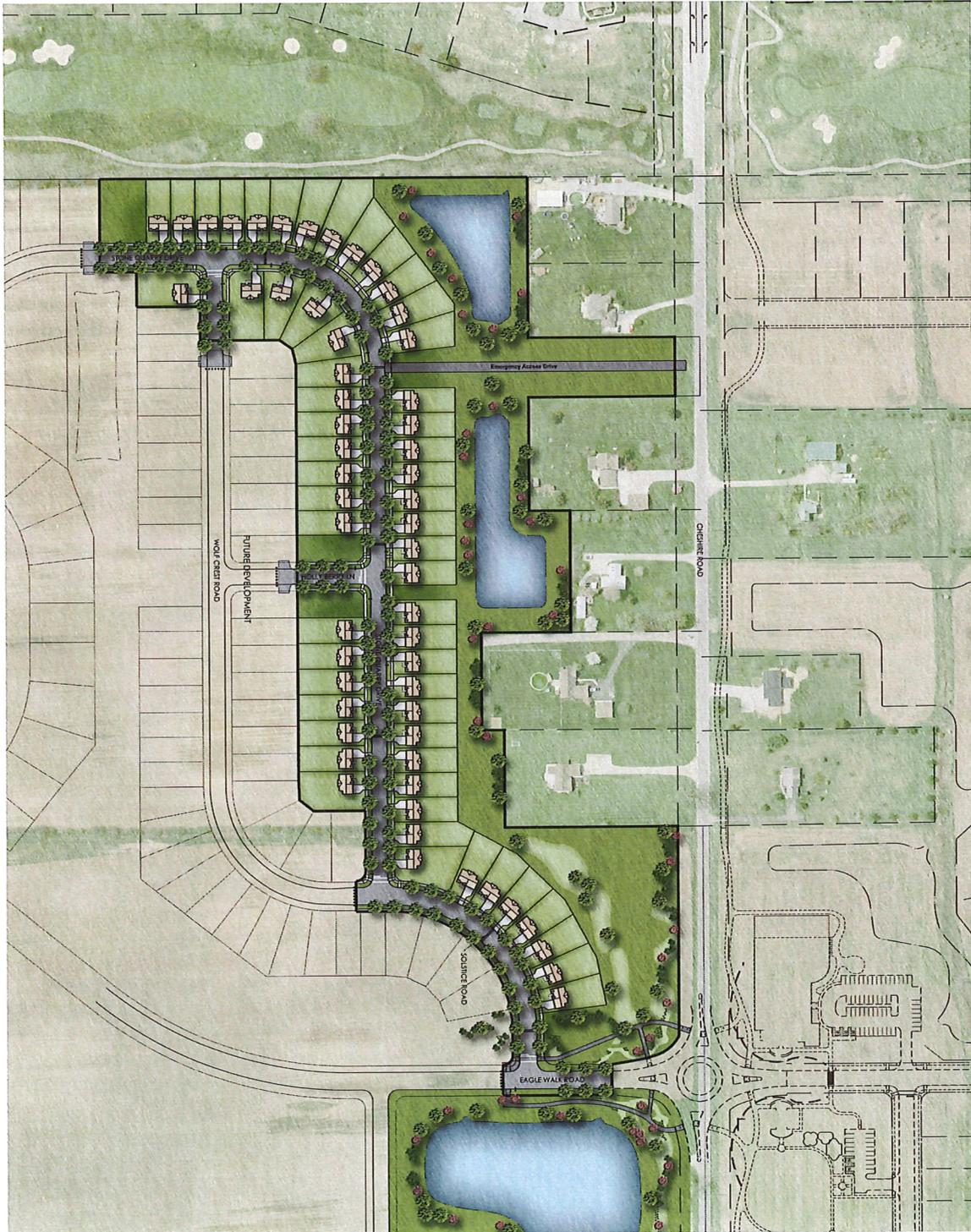
CIVIL ENGINEER &
LANDSCAPE ARCHITECT



Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614-725-6600
www.emht.com

INDEX OF DRAWINGS

FINAL PLAT:	SECTION 11	SHEET 1-3
SITE PLAN:	TREE INVENTORY & REMOVAL PLAN:	SHEET 4
TREE TREE PLAN:	STREET LIGHTING PLAN:	SHEET 5
STREET LIGHTING PLAN:	ILLUSTRATIVE SITE PLAN:	SHEET 6
ILLUSTRATIVE SITE PLAN:	LANDSCAPE / TREE REPLACEMENT PLAN:	SHEET 7-8
LANDSCAPE / TREE REPLACEMENT PLAN:		SHEET 9
		SHEET L-1 - L4



9/9

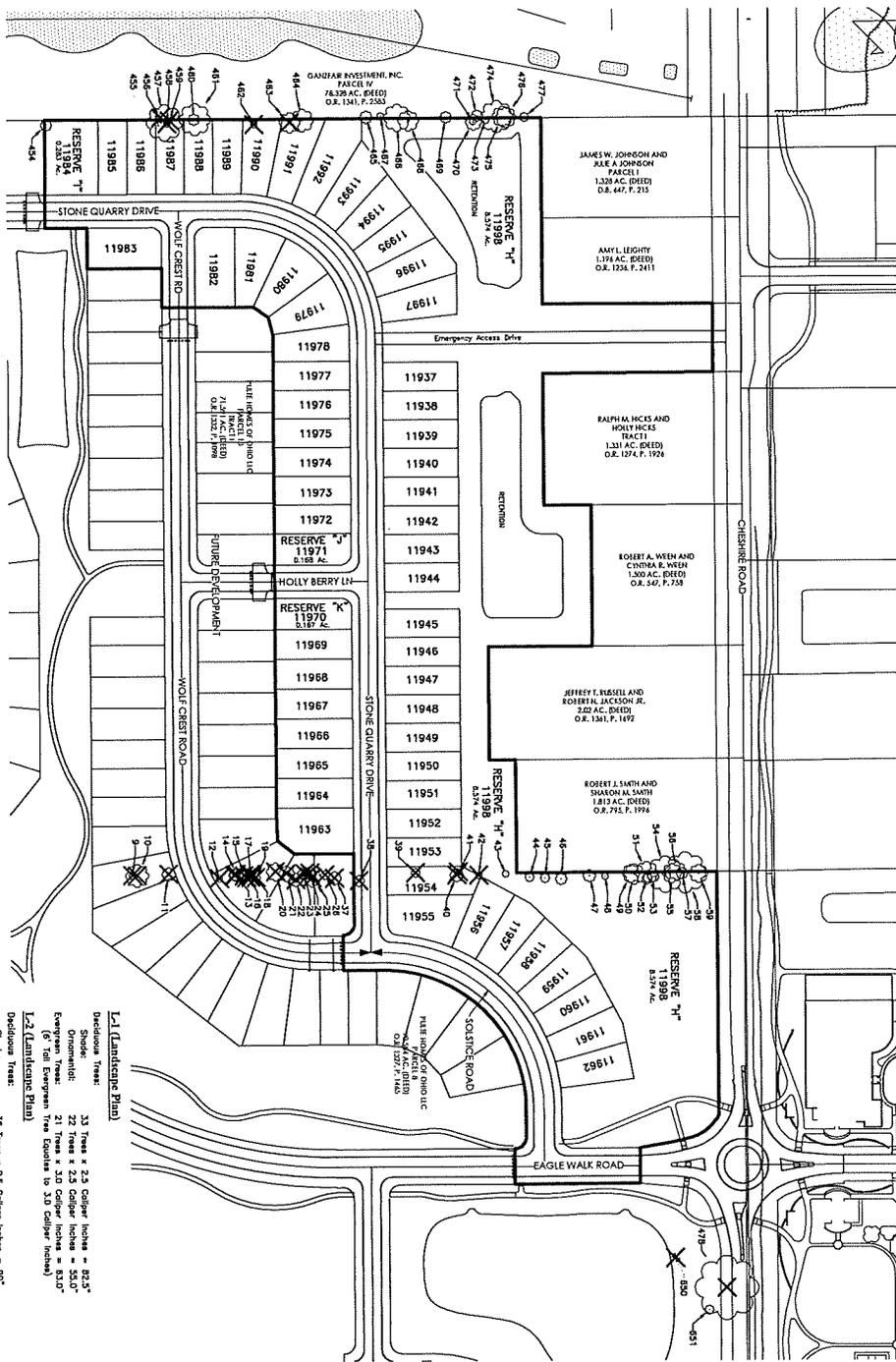
DATE: Aug 1, 2017
 SCALE: 1" = 100'
 SHEET: 24/24



CITY OF DELAWARE, DELAWARE COUNTY, OHIO
 FINAL DEVELOPMENT PLAN
 FOR
COMMUNITIES AT GLENROSS
 SECTION 11
 ILLUSTRATIVE SITE PLAN



REVISIONS		
NO.	DATE	DESCRIPTION



L1 (Landscaping Plan)
 Deciduous Trees: 23 Trees x 2.5 Caliper inches = 82.5"
 Ornamental: 22 Trees x 2.5 Caliper inches = 55.0"
 Evergreen: 12 Trees x 3.0 Caliper inches = 36.0"
 (6' Tall Swampy Tree Equivalents to 3.0 Caliper inches)

L2 (Landscaping Plan)
 Deciduous Trees: 36 Trees x 2.5 Caliper inches = 90"
 Ornamental: 23 Trees x 2.5 Caliper inches = 57.5"
 Evergreen Trees: 23 Trees x 3.0 Caliper inches = 69"
 (6' Tall Swampy Tree Equivalents to 3.0 Caliper inches)

L3 (Landscaping Plan)
 Deciduous Trees: 6 Trees x 2.5 Caliper inches = 15"
 Ornamental: 1
 Total Replaced = 437 Caliper inches

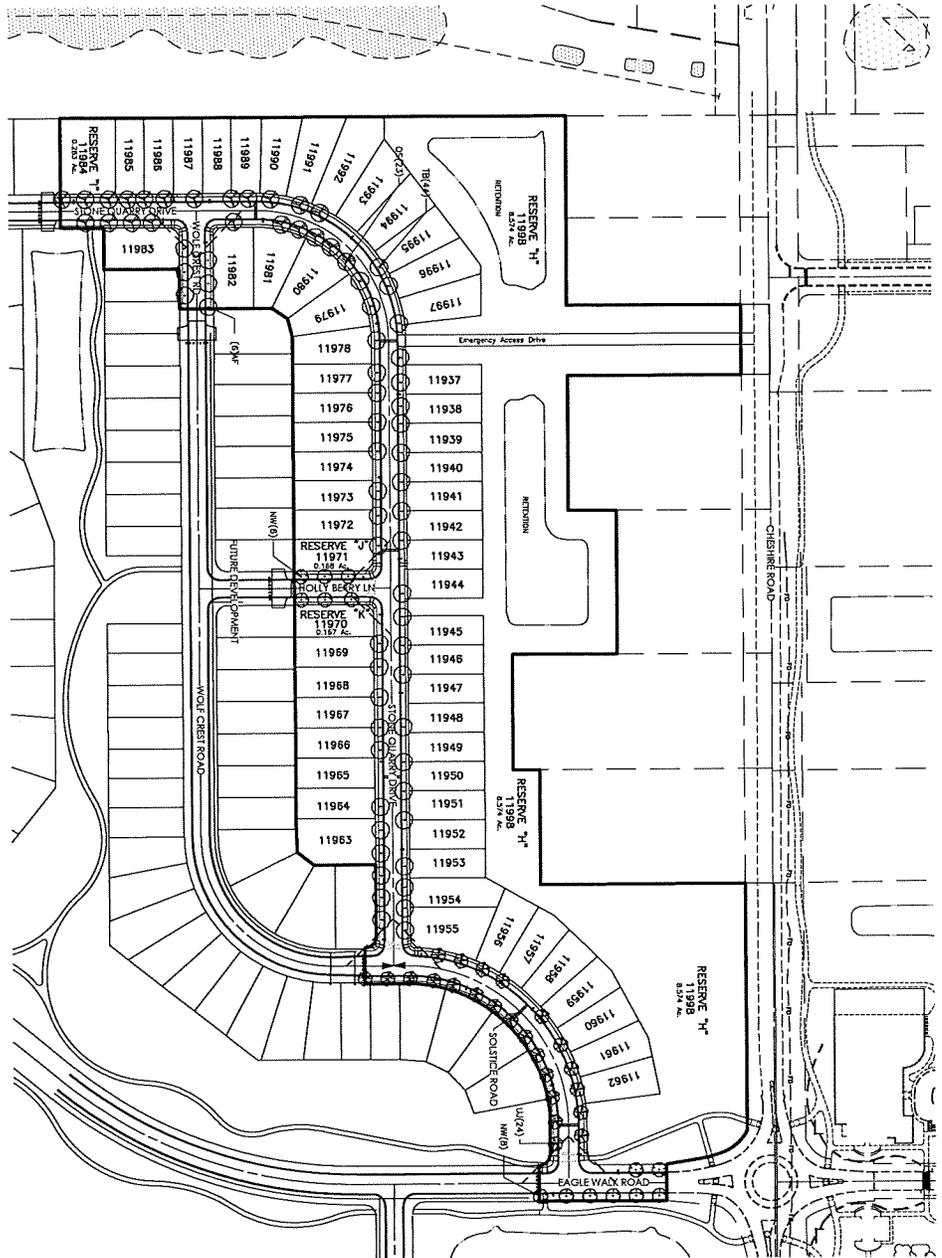
* Total number of trees required to be replaced on 375 caliper inches and the total number of trees planted on 437 caliper inches including street trees.

Tree Number	Size	Condition	Common Name
1	3"	Good	Hickory
2	7"	Good	Hickory
3	7"	Good	Hickory
4	11"	Good	Cornus
5	11"	Good	Cornus
6	11"	Good	Cornus
7	11"	Good	Cornus
8	11"	Good	Cornus
9	11"	Good	Cornus
10	11"	Good	Cornus
11	11"	Good	Cornus
12	11"	Good	Cornus
13	11"	Good	Cornus
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39	11"	Good	Cornus
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84	11"	Good	Cornus
85	11"	Good	Cornus
86	11"	Good	Cornus
87	11"	Good	Cornus
88	11"	Good	Cornus
89	11"	Good	Cornus
90	11"	Good	Cornus
91	11"	Good	Cornus
92	11"	Good	Cornus
93	11"	Good	Cornus
94	11"	Good	Cornus
95	11"	Good	Cornus
96	11"	Good	Cornus
97	11"	Good	Cornus
98	11"	Good	Cornus
99	11"	Good	Cornus
100	11"	Good	Cornus

TREE INVENTORY
 Total Number of Trees: 67 (182 Caliper inches)
 Normal: 57 (135 Caliper inches)
 Dead: 10 (67 Caliper inches)
 Trees to be Replaced: 2 (18 Caliper inches)
 Total Number of Trees Replaced: 37 (199 Caliper inches)

X Trees Removed





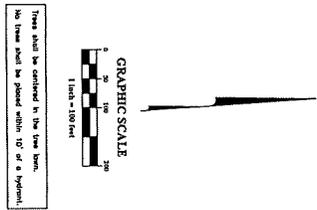
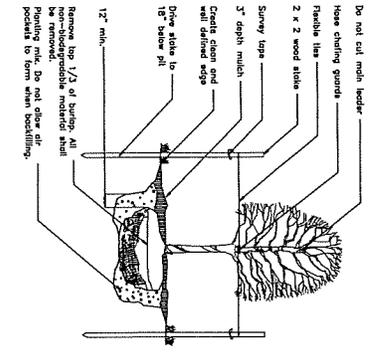
PLANT SCHEDULE

SYMBOL	CODE	QTY	DESIGNATION	SIZE	LOCATION
(Symbol)	AF	8	Kearl Freeman's "Sassafras"	2" Cal.	8AB
(Symbol)	NM	14	White Spindles "Magnolia"	2" Cal.	8AB
(Symbol)	OS	22	Quercus rubra	2" Cal.	8AB
(Symbol)	TB	44	Thru American "Redwood"	2" Cal.	8AB
(Symbol)	UI	24	Urban American "Lilac"	2" Cal.	8AB

Intersection Sight Triangle

- GENERAL NOTES**
1. Street tree installation shall be approved by the City of Delaware Street Tree Committee. The Committee will review and approve all tree removal and planting applications. The Committee will also review and approve all tree removal and planting applications. The Committee will also review and approve all tree removal and planting applications.
 2. All trees shall be planted within 10' of a hydrant.
 3. All trees shall be planted within 10' of a hydrant.
 4. All trees shall be planted within 10' of a hydrant.
 5. All trees shall be planted within 10' of a hydrant.
 6. All trees shall be planted within 10' of a hydrant.
 7. All trees shall be planted within 10' of a hydrant.
 8. All trees shall be planted within 10' of a hydrant.
 9. All trees shall be planted within 10' of a hydrant.
 10. All trees shall be planted within 10' of a hydrant.
 11. All trees shall be planted within 10' of a hydrant.
 12. All trees shall be planted within 10' of a hydrant.
 13. All trees shall be planted within 10' of a hydrant.
 14. All trees shall be planted within 10' of a hydrant.
 15. All trees shall be planted within 10' of a hydrant.
 16. All trees shall be planted within 10' of a hydrant.
 17. All trees shall be planted within 10' of a hydrant.
 18. All trees shall be planted within 10' of a hydrant.

1 DECIDUOUS TREE UNDER 3" CALIPER



These shall be confirmed in the tree form. No trees shall be placed within 10' of a hydrant.

REVISIONS

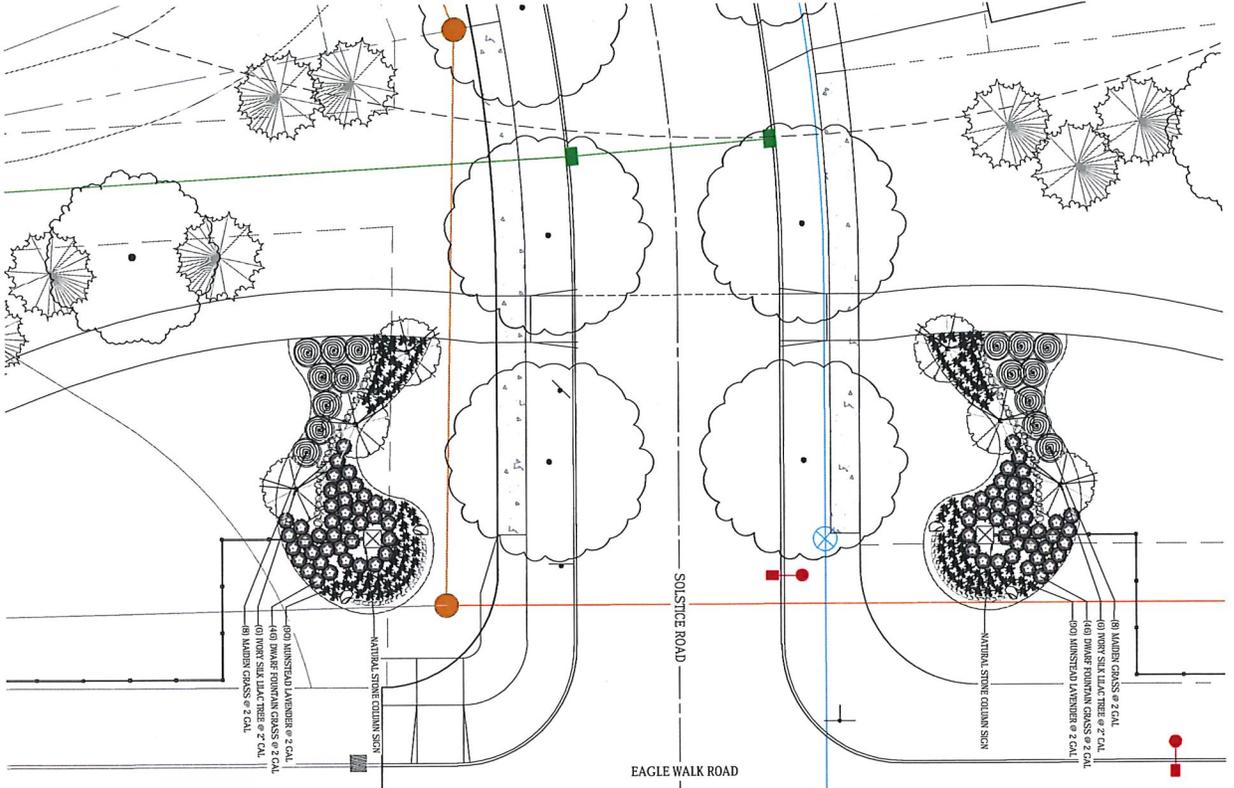
MARK	DATE	DESCRIPTION

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
FINAL DEVELOPMENT PLAN
COMMUNITIES AT GLENROSS
SECTION 11
STREET TREE PLAN



EMHT
Engineering, Mechanical, Electrical & Construction
20161026
20161026
6/9

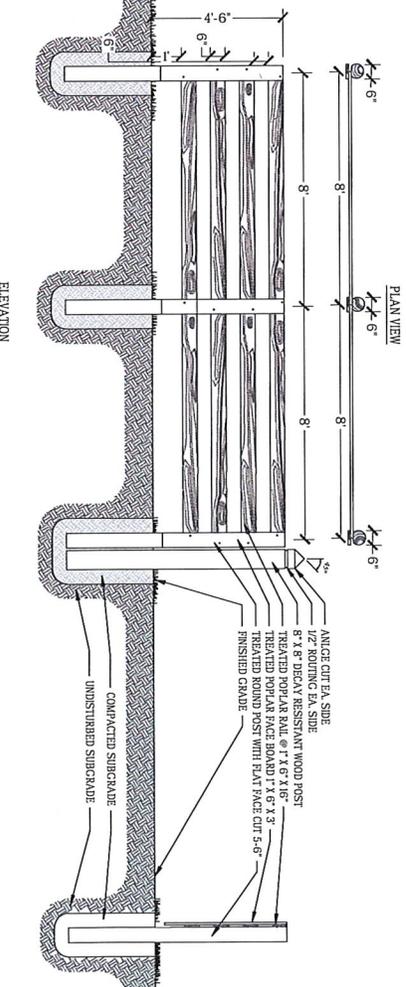
3 SOLSTICE ROAD ENTRY LANDSCAPE PLAN
Scale: 1" = 20'-0"



SOLSTICE ROAD ENTRY PLANT LIST

ORNAMENTAL TREES	PERENNIAL / GRASSES	COMMON NAME	LATIN NAME	SIZE
6	MONROE GRASS	MONROE GRASS	MONROE GRASS	2.5' CAL
81	MINISTRO LAVANDER	MINISTRO LAVANDER	MINISTRO LAVANDER	2 CAL
400	MINISTRO LAVANDER	MINISTRO LAVANDER	MINISTRO LAVANDER	2 CAL
400	MINISTRO LAVANDER	MINISTRO LAVANDER	MINISTRO LAVANDER	2 CAL
81	MONROE GRASS	MONROE GRASS	MONROE GRASS	2 CAL

3 BOARD FENCE DETAIL
Scale: 1/2" = 1'-0"



COMMUNITIES AT GLENROSS
JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO
OVERALL LANDSCAPE PLAN

BLENDON GARDENS
landscaping... the investment that grows!

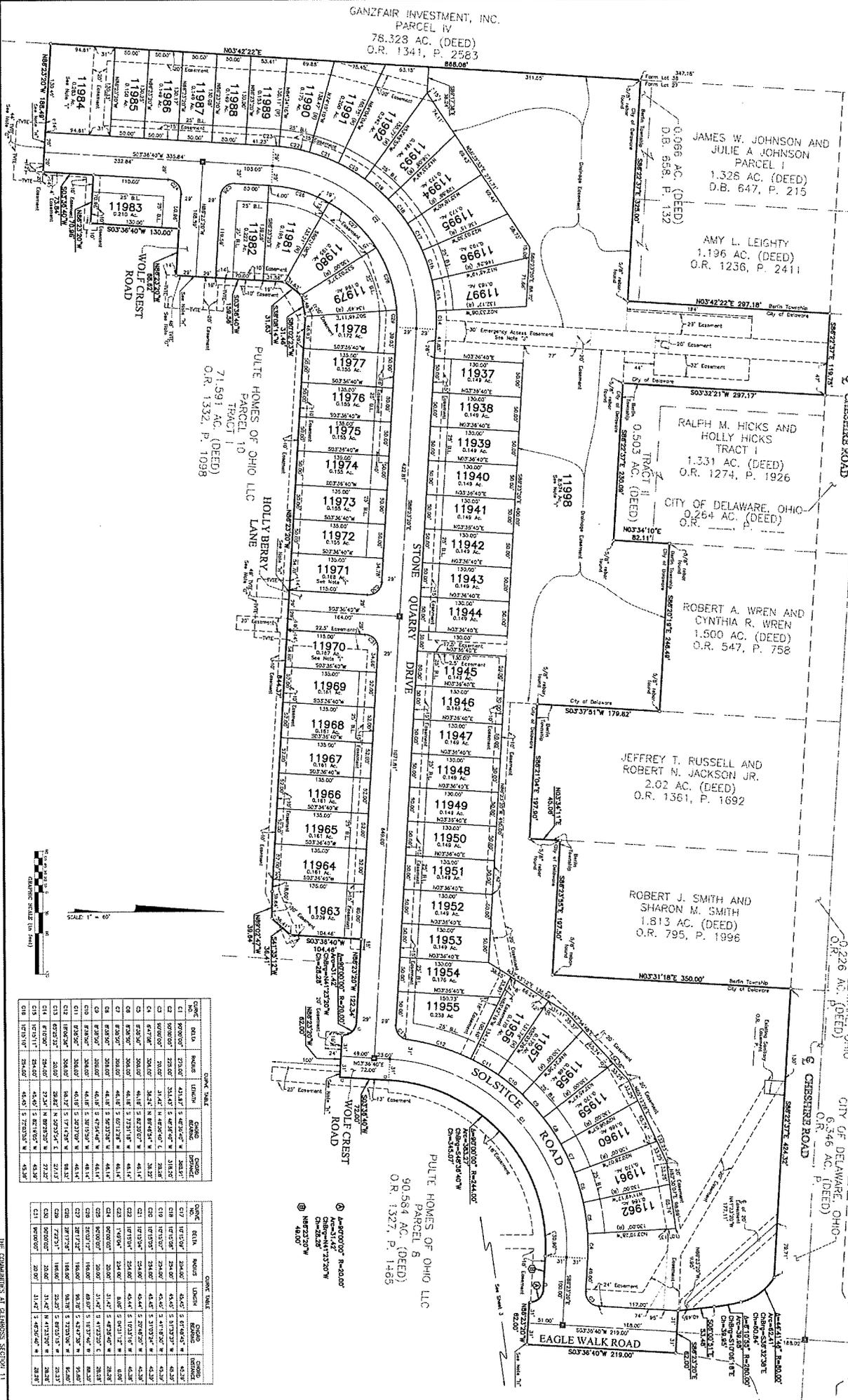
9590 SOUTH OLD STATE ROAD
LEWIS CENTER, OHIO 43035
p 614.840.0500 f 614.840.0504

DATE	DESIGNED BY: T.M. COSTERFIELD
DATE	CHECKED BY: B. THOMPSON
PROJECT NUMBER	
SHEET	L-3

THIS IS AN INSTRUMENT OF SERVICE
AND IS THE PROPERTY OF
BLENDON GARDENS LANDSCAPE ARCHITECTURE
IT IS TO BE USED ONLY FOR THE PROJECT AND SITE
FOR WHICH IT WAS PREPARED.
IT IS NOT TO BE REPRODUCED OR COPIED
WITHOUT THE WRITTEN CONSENT
OF BLENDON GARDENS.

THE COMMUNITIES AT GLENROSS SECTION 11

GANZFAIR INVESTMENT, INC.
PARCEL IV
78.328 AC. (DEED)
O.R. 1341, P. 2583



LOT NO.	AREA (SQ. FT.)	AREA (AC.)	OWNER
11963	130,000	2.99	AMERICAN BLDG. CO.
11964	130,000	2.99	AMERICAN BLDG. CO.
11965	130,000	2.99	AMERICAN BLDG. CO.
11966	130,000	2.99	AMERICAN BLDG. CO.
11967	130,000	2.99	AMERICAN BLDG. CO.
11968	130,000	2.99	AMERICAN BLDG. CO.
11969	130,000	2.99	AMERICAN BLDG. CO.
11970	130,000	2.99	AMERICAN BLDG. CO.
11971	130,000	2.99	AMERICAN BLDG. CO.
11972	130,000	2.99	AMERICAN BLDG. CO.
11973	130,000	2.99	AMERICAN BLDG. CO.
11974	130,000	2.99	AMERICAN BLDG. CO.
11975	130,000	2.99	AMERICAN BLDG. CO.
11976	130,000	2.99	AMERICAN BLDG. CO.
11977	130,000	2.99	AMERICAN BLDG. CO.
11978	130,000	2.99	AMERICAN BLDG. CO.
11979	130,000	2.99	AMERICAN BLDG. CO.
11980	130,000	2.99	AMERICAN BLDG. CO.
11981	130,000	2.99	AMERICAN BLDG. CO.
11982	130,000	2.99	AMERICAN BLDG. CO.
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11988	130,000	2.99	AMERICAN BLDG. CO.
11989	130,000	2.99	AMERICAN BLDG. CO.
11990	130,000	2.99	AMERICAN BLDG. CO.
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11992	130,000	2.99	AMERICAN BLDG. CO.
11993	130,000	2.99	AMERICAN BLDG. CO.
11994	130,000	2.99	AMERICAN BLDG. CO.
11995	130,000	2.99	AMERICAN BLDG. CO.
11996	130,000	2.99	AMERICAN BLDG. CO.
11997	130,000	2.99	AMERICAN BLDG. CO.
11998	130,000	2.99	AMERICAN BLDG. CO.

LOT NO.	AREA (SQ. FT.)	AREA (AC.)	OWNER
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11967	130,000	2.99	AMERICAN BLDG. CO.
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11989	130,000	2.99	AMERICAN BLDG. CO.
11990	130,000	2.99	AMERICAN BLDG. CO.
11991	130,000	2.99	AMERICAN BLDG. CO.
11992	130,000	2.99	AMERICAN BLDG. CO.
11993	130,000	2.99	AMERICAN BLDG. CO.
11994	130,000	2.99	AMERICAN BLDG. CO.
11995	130,000	2.99	AMERICAN BLDG. CO.
11996	130,000	2.99	AMERICAN BLDG. CO.
11997	130,000	2.99	AMERICAN BLDG. CO.
11998	130,000	2.99	AMERICAN BLDG. CO.



ABBEVILLE | ELEVATION 7



ABBEVILLE | ELEVATION 8





ABBEVILLE | ELEVATION 11



ASCEND | ELEVATION 7



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Single Family Residential



ASCEND | ELEVATION 10



ASCEND | BUILT EXAMPLE



ASCEND | ELEVATION 11



CASTLE ROCK | ELEVATION 7





CASTLE ROCK | ELEVATION 8



CASTLE ROCK | ELEVATION 12



CASTLE ROCK | ELEVATION 9



CASTLE ROCK | ELEVATION 14



Glenross South - Age Targeted
Single Family Residential

Glenross South - Age Targeted
Single Family Residential



CASTLE ROCK | BUILT EXAMPLE

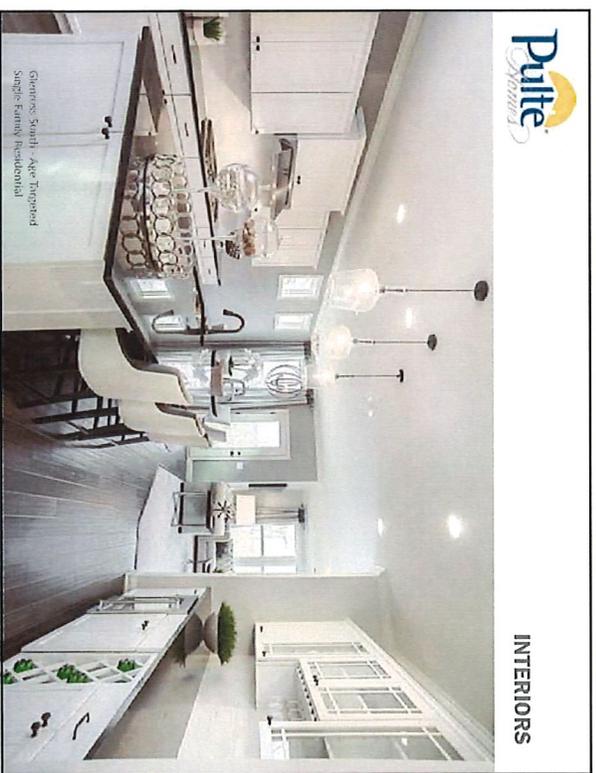
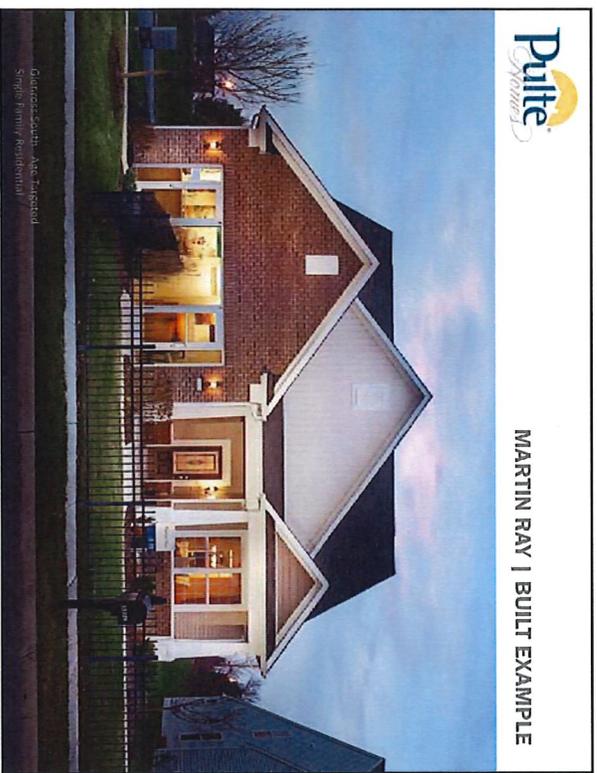
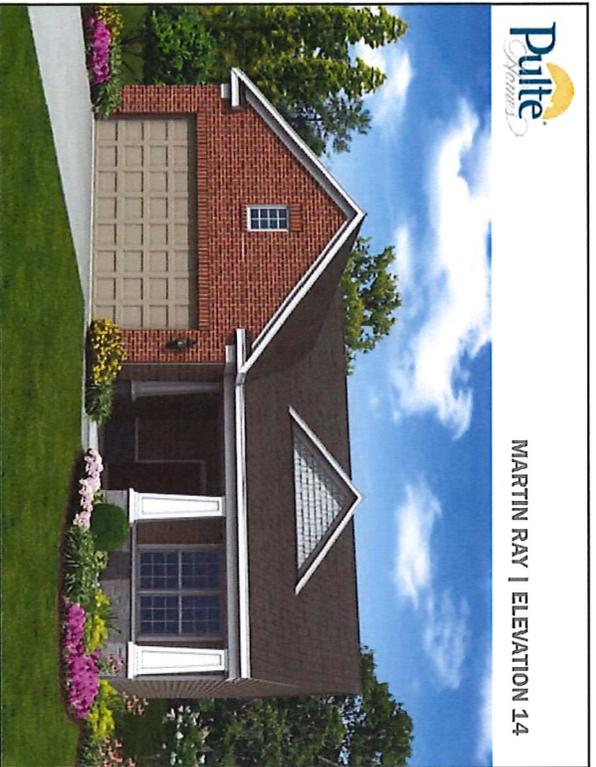


MARTIN RAY | ELEVATION 7

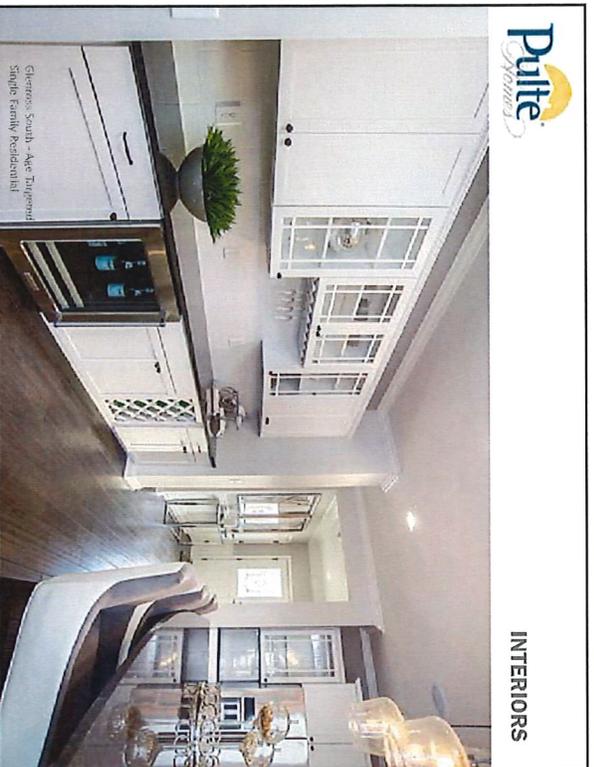
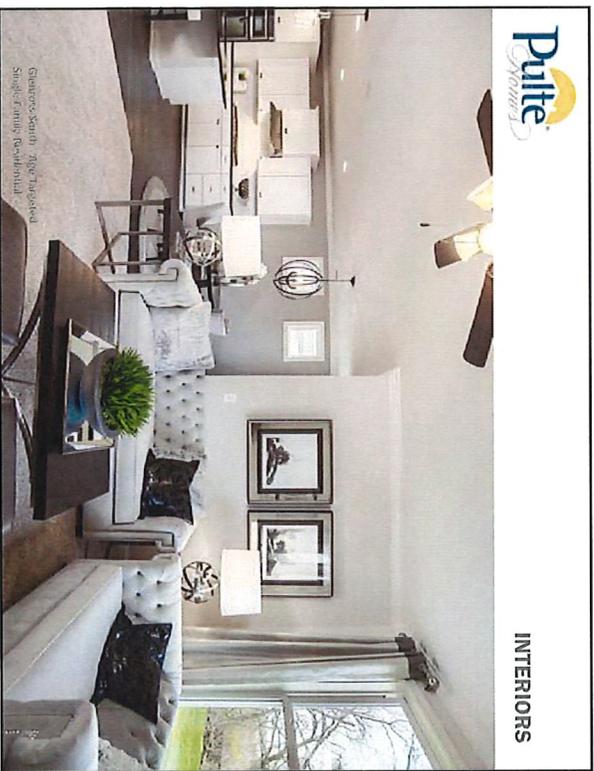
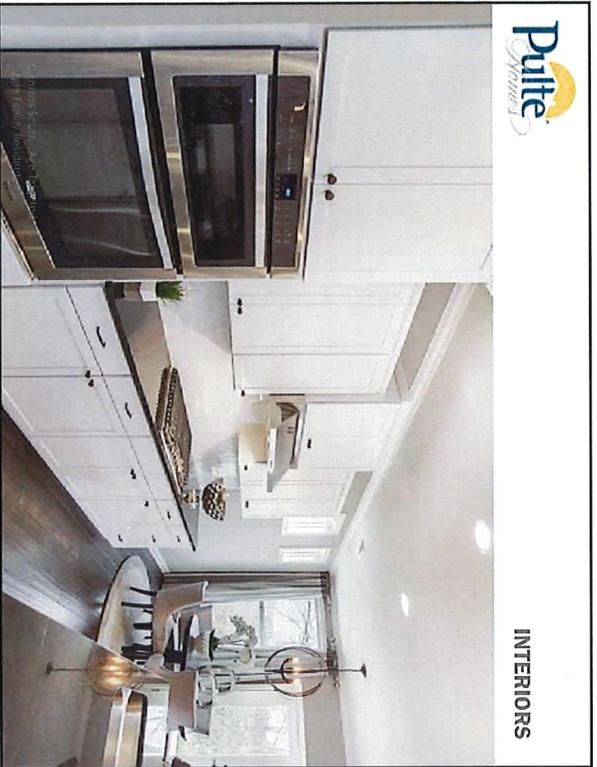


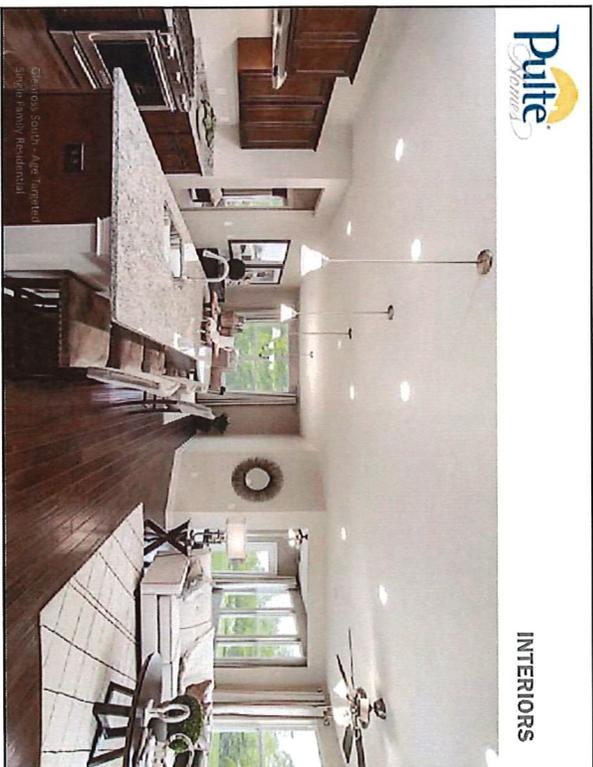
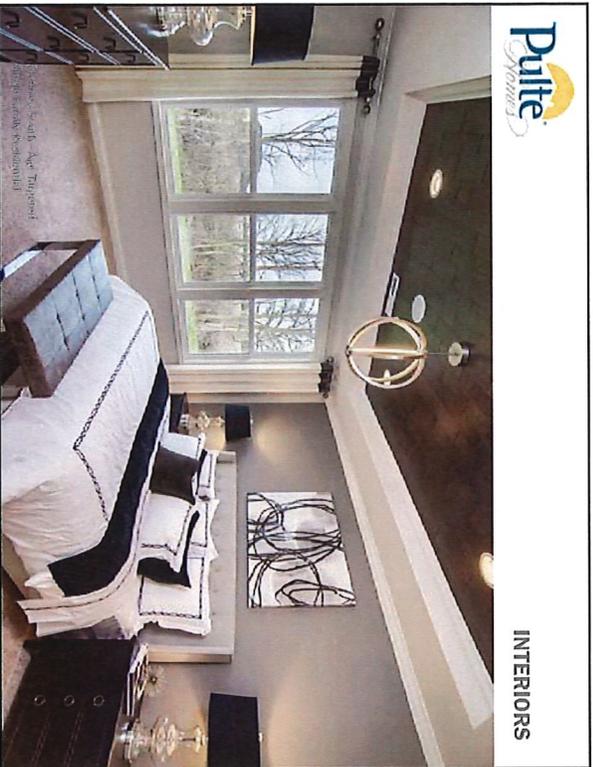
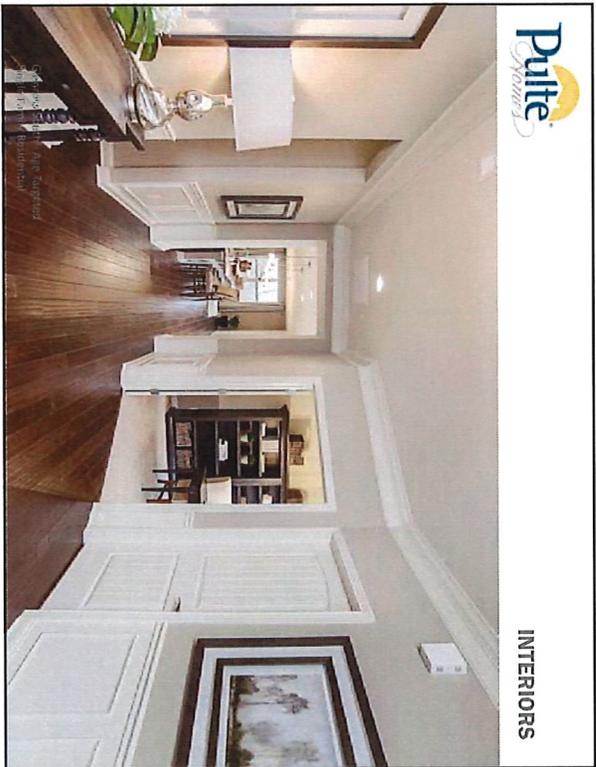
MARTIN RAY | ELEVATION 11

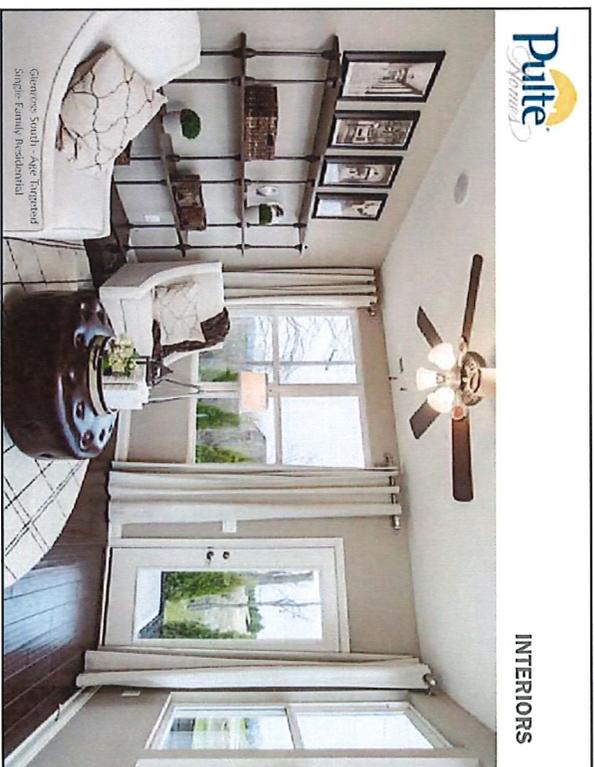
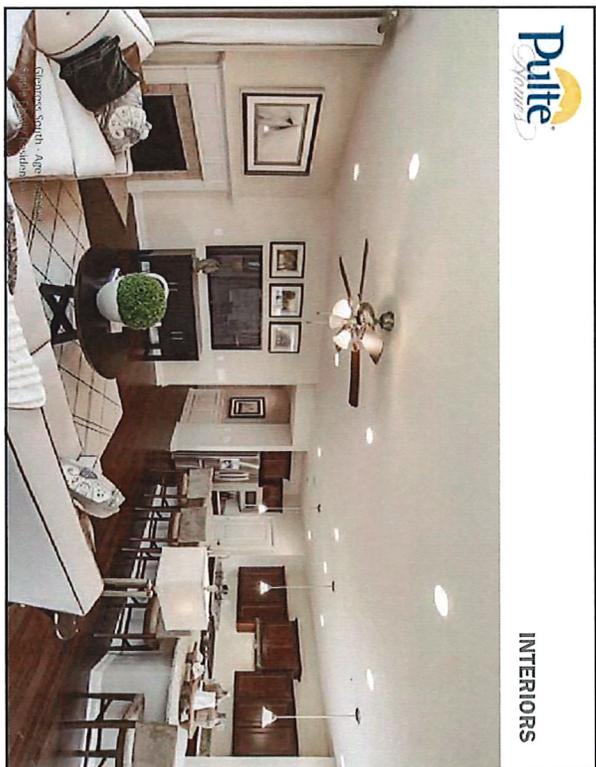
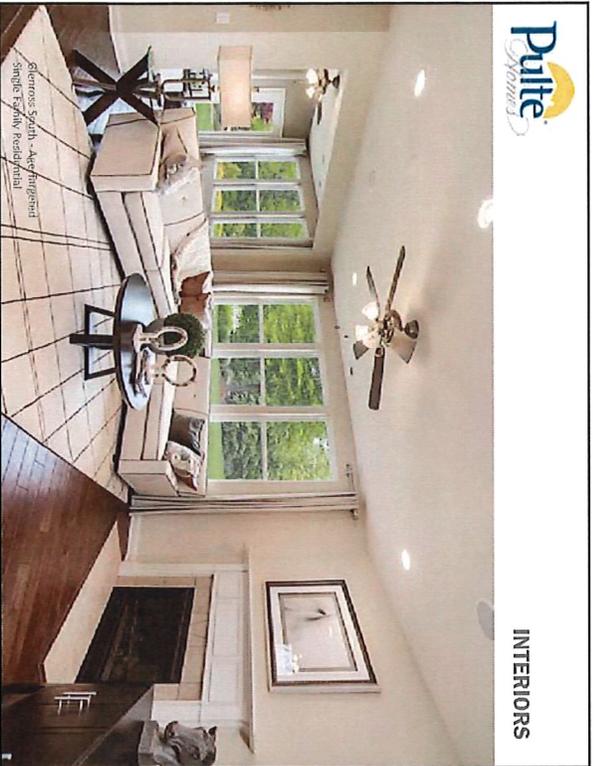
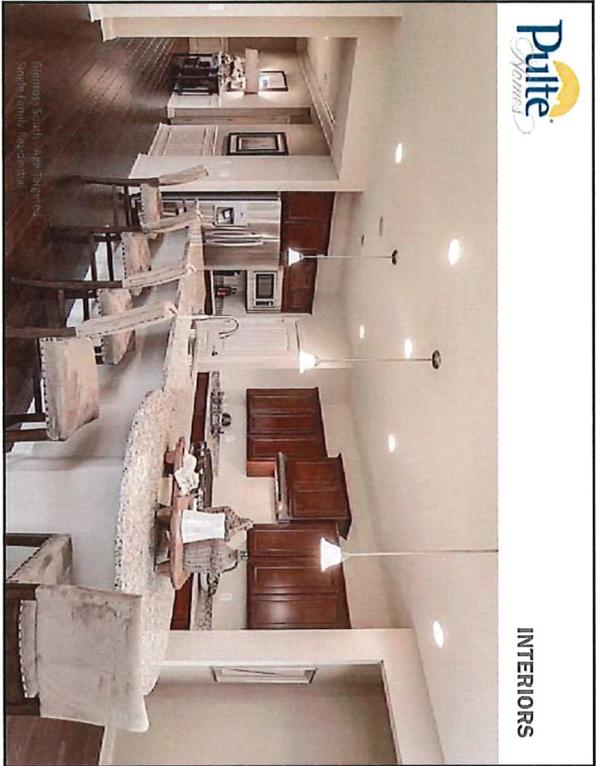




Glenross South - Age Targeted Single Family Residential









INTERIORS



Glenross South - Age Targeted Single Family Residential

g) Other Standards

Except as specifically set forth in this PMU Development Text or as set forth on the accompanying Development Plan, R-2 Residential District regulations together with standards set forth in Chapter 1171 of the Delaware Zoning Code, as if attached and as made a part of this Development Text by reference, shall apply in Sub-Areas IA, IB, IIA, IIB, and IIC.

F. Sub-Area III Development Standards

1. Density & Type

In Sub-Area III, no more than 106 detached single family condominium dwelling units shall be built. Although not legally restricted, Sub-Area III is intended to provide an area of single-family detached condominiums that is targeted to independent seniors and “empty nesters” seeking low exterior maintenance and a community association lifestyle with high end units which have high quality details, fit, finish, and materials not inconsistent with Pulte Homes Age Targeted Single Family Residential series product line up as attached. Sub-Area III is also intended to provide for the same minimum house sizes and quality of single family homes required in Sub-Areas IB, IIB, and IIC on smaller lots with more lot coverage and smaller yards that will have a common maintenance plan for lawn, landscaping and snow removal on each owner’s lot.

2. Lot Size

- a. The minimum size shall be 6,500 square feet with a minimum lot width of 50 feet at building line and minimum lot depth of 130 feet.

3. Setbacks & Building Separation

- a) Streets: A minimum building and accessory use setback of 50 feet shall be provided along Winterbourne Drive. The minimum setback from all other streets shall be 25 feet from right-of-way or roadway easement line.
- b) Side: The minimum side setback shall be 5 feet per side and 10 feet combined.
- c) Rear: The minimum rear setback shall be 15 feet.
- d) The minimum setbacks described above shall not cause any off-street parking area to impede a sidewalk or multi-use path.
- e) Setbacks from streets shall be from the right-of-way.

- f) Building Separation: Unless a greater building separation is required by the then current Building Code, the minimum separation between buildings shall be the following:
 - i) 10 feet side to side
 - ii) 30 feet rear to rear
 - iii) 25 feet rear to side
 - iv) The projection of fireplaces, chimneys, bay window, egress windows and/or other architectural projections of not more than 3 feet in each instance are permitted

- g) Deck & Patio Separation: Decks and patios shall not extend more than the following:
 - i) 10 feet into any required rear to rear building separation or setback
 - ii) 3.5 feet into any required side to side building separation or setback
 - iii) 7.5 feet into any required rear to side building separation or setback

The foregoing notwithstanding, deck and patio encroachments are not permitted within designated easement areas.

4. Unit Size

In Sub-Area III no building shall be constructed unless the finished living space (exclusive of porches, garages, and basements) has no less than 1800 square feet for multi-story dwellings and 1600 square feet for single-story dwellings. Maximum building height shall be 40 feet (measured from the average elevation of the finished grade at the front of the building to the highest point of the roof).

5. Street Type & Design

The development will utilize public streets built to public standards per the City Engineer. Sidewalks or bikepaths shall be required adjacent to all streets per Delaware City Code.

6. Parking

Parking will be provided at a minimum of 2 spaces per dwelling unit in an attached garage.

7. Street Lights

The street lights shall achieve compliance with the lighting requirements of Zoning Code Chapter 1158 Lighting Plan.

8. Clubhouse / Recreation

Sub-Area III may include a future clubhouse, community room, or other recreation amenities. The primary facilities for the entire Communities at Glenross development will be per the approved preliminary plan for areas north of Cheshire Rd.

9. Architectural Standards

At least 25% of the front facade elevation of each building (excluding garage doors, entrance doors, gutters, downspouts and windows) shall consist of brick, stone, or cultured stone. All vinyl siding shall have a minimum thickness of .044 mils. Gutters (and the material by which they are attached to the home), downspouts, soffits, shutters, garage and entrance doors may be of man-made materials such as metal, vinyl, aluminum or glass. No concrete or split face block shall be permitted, except for the basement or foundation walls. The roofs of all homes shall have dimensional shingles.

8. Color Palette

The color palette shall consist of earth tones, including white. Additional colors may be used as accents but may not be high gloss or high-chroma colors. A color palette and listing of representative architectural details (elevations) for Sub-Area III are included as attached and titled Glenross South – Age Targeted Single Family Residential.

9. Roof Pitches

All primary roof pitches on front and rear facing gabled elevations shall be a minimum of 5:12. All primary roof pitches on side facing gabled elevations shall be a minimum of 6:12. All other accessory elevations shall be a minimum roof pitch of 3-1/2:12.

10. Other Standards

- a. Except as specifically set forth in this PMU Development Text or as set forth on the accompanying Development Plan, R-2 Residential District regulations together with standards set forth in the then current Chapter 1171 of the Delaware Zoning Code shall apply in Sub-Area III.

- b. All garage doors shall adhere to one of the following standards as approved with a Final Development Plan:
 - i. Architecturally upgraded to include design elements consistent with the design of the home and development such as matching the door color to the predominant color of the main structure, incorporating a glass course, adding trim packages to give the appearance of stable doors, man doors, hinged swing doors and other similar architectural elements.

G. Sub-Area IV Development Standards

1. Timing of Development

Development of Sub-Area IV shall not occur until adequate access is available, either over adjacent railroad tracks or through road connections that may be provided in the future through the development of adjacent property.

2. Density

In Sub-Area IV, no more than 94 dwelling units shall be built. A minimum of fifteen percent (15%) of the Sub-Area IV site, or +/- 7.15 acres, shall be set aside as open space.

3. Development Type & Pattern

The dwelling units may be built in either a single-family condominium regime, and if so developed may either be detached or attached in buildings of up to four units, or may be developed on fee simple single-family platted lots. If developed as fee simple lots, the standards set forth in the Delaware Zoning Code as applying in the R-3 Residential District shall apply, except that the requirements set forth above for the size, color and exterior materials of homes in Sub-Area IIB, above, shall also apply to any detached single-family dwellings on individual platted lots in Sub-Area IV. If Sub-Area IV is developed as a condominium, the Development Standards for Sub-Area III shall apply.

4. Limitation

The plan for Sub-Area IV is conceptual at this time. As such, a Preliminary Development Plan and Final Development Plan are required to be submitted and approved.



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



Project # _____

Case # 2017-1030

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 type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input type="checkbox"/> Rezoning | |
| <input checked="" type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Communities at Glenross Section 11 Address Cheshire Road

Acreage 22.744 Square Footage N/A Number of Lots 58 Number of Units N/A

Zoning District/Land Use PRD Proposed Zoning/Land Use PRD Parcel # 41832001040000 and 41832001035000

Applicant Name Pulte Homes of Ohio, LLC Contact Person Joel West

Applicant Address 4900 Tuttle Crossing Boulevard, Dublin, Ohio 43016

Phone (614) 376-1122 Fax (614) 356-6801 E-mail Joel.West@Pulte.com

Owner Name Pulte Homes of Ohio, LLC Contact Person Joel West

Owner Address 4900 Tuttle Crossing Boulevard, Dublin, Ohio 43016

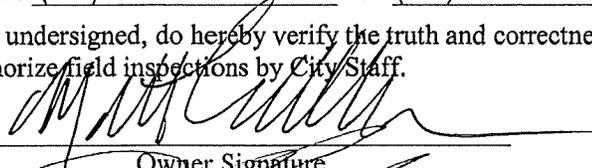
Phone (614) 376-1122 Fax (614) 356-6801 E-mail Joel.West@Pulte.com

Engineer/Architect/Attorney EMH&T Contact Person Jeffrey A. Strung

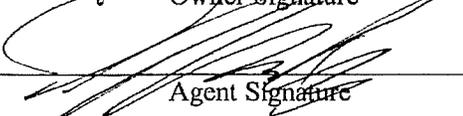
Address 5500 New Albany Road, Columbus, Ohio 43054

Phone (614) 775-4700 Fax (614) 775-4800 E-mail jstrung@emht.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.


Owner Signature

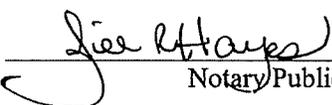
 **Division VP Land Acquisition**
Owner Printed Name


Agent Signature

Jeffrey A. Strung
Agent Printed Name

Sworn to before me and subscribed in my presence this 27th day of March, 2017.

 Notary Stamp
Jill R. Hayes
Notary Public, State of Ohio
My Commission Expires 12-07-2020


Notary Public



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



Project # _____

Case # 2017-1031

Planning Commission

- | | | |
|--|--|---|
| <input type="checkbox"/> Amended Final Development Plan | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use |
| <input type="checkbox"/> Amended Final Subdivision Plat | <input checked="" type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley |
| <input type="checkbox"/> Amended Preliminary Development Plan | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat | <input type="checkbox"/> Floodplain Permit | <input type="checkbox"/> Vacation-Street |
| <input type="checkbox"/> Annexation Review | <input type="checkbox"/> Lot Split | 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 type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input type="checkbox"/> Rezoning | |
| <input type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name THE COMMUNITIES AT GLENROSS SECTION 11 Address CHESTNUT ROAD

Acres 22.744 Square Footage N/A Number of Lots 62 Number of Units N/A

Zoning District/Land Use PRD Proposed Zoning/Land Use PRD Parcel # 41832001035000

Applicant Name PULTE HOMES OF OHIO LLC Contact Person JOEL WEST

Applicant Address 4900 TUTTLE CROSSING BOULEVARD, DUBLIN, OHIO, 43016

Phone 614-376-1122 Fax 614-376-6080 E-mail JOEL.WEST@PULTE.COM

Owner Name SAME AS APPLICANT Contact Person _____

Owner Address _____

Phone _____ Fax _____ E-mail _____

Engineer/Architect/Attorney EMH&T Contact Person MATT KERK

Address 5500 NEW ALBANY ROAD, COLUMBUS, OHIO, 43054

Phone 614-775-4121 Fax _____ E-mail MKERK@EMH.T.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.

[Signature] Owner Signature Matthew Kerk Owner Printed Name **Division VP Land Acquisition**

Agent Signature

Agent Printed Name

Sworn to before me and subscribed in my presence this 27th day of March, 2017



Notary Jill P. Hayes
Notary Public, State of Ohio
My Commission Expires 12-07-2020

[Signature]
Notary Public



FACT SHEET

AGENDA ITEM NO: 19

DATE: 06/12/2017

ORDINANCE NO: 17-44

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE FOR PULTE HOMES APPROVING A FINAL SUBDIVISION PLAT FOR THE COMMUNITIES AT GLENROSS SECTION 11 FOR 58 SINGLE FAMILY LOTS ON 22.74 ACRES ON PROPERTY ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED SOUTH OF CHESHIRE ROAD ON WINTERBOURNE DRIVE, SOLSTICE ROAD, STONE QUARRY DRIVE AND HOLLY BERRY LANE.

BACKGROUND:

See attached report

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1111.04 Final Plat requirements of the zoning code.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on June 7, 2017.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)

See attached

ORDINANCE NO. 17-44

AN ORDINANCE FOR PULTE HOMES APPROVING A FINAL SUBDIVISION PLAT FOR THE COMMUNITIES AT GLENROSS SECTION 11 FOR 58 SINGLE FAMILY LOTS ON 22.74 ACRES ON PROPERTY ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED SOUTH OF CHESHIRE ROAD ON WINTERBOURNE DRIVE, SOLSTICE ROAD, STONE QUARRY DRIVE AND HOLLY BERRY LANE.

WHEREAS, the Planning Commission at its meeting of June 7, 2017 recommended approval of a Final Subdivision Plat for Pulte Homes for the Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane (PC 2017-1031).

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

SECTION 1. That the Final Subdivision Plat for Pulte Homes for the Communities at Glenross Section 11 for 58 single family lots on 22.74 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on Winterbourne Drive, Solstice Road, Stone Quarry Drive and Holly Berry Lane, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final 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. An emergency access point from Cheshire Road to Stone Quarry Drive shall be constructed on the western portion of Section 11. The emergency drive shall be 12 feet wide with a concrete approach at Cheshire Road with bollards that can be driven over by emergency vehicles.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single family houses shall comply with the minimum architectural standards and house size in the approved development text and per

- applicable sections of the current zoning code.
5. The Cheshire Road and Winterbourne Drive buffering shall match or be enhanced above the existing buffering in the The Glenross Golf Club and Communities at Glenross east of this development. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
 6. A street tree plan shall be submitted and approved by the Shade Tree Commission.
 7. A more robust landscaping plan adjacent to the six residential houses and the retention pond in the County shall be required and approved by staff per the approved Preliminary Development Plan.
 8. Landscaping adjacent to the proposed emergency access drive from Cheshire Road to Stone Quarry Drive shall be required and the subject trees installed adjacent to the residential houses east and west of emergency access drive shall be a minimum 15 feet from centerline of the emergency access drive.
 9. Staff recommends that some of the open space in Reserve "I" should be allocated (or at least not precluded) for the condominium association to provide active space with amenities geared to independent seniors and empty nesters if so desired in the future.
 10. The bike path along Winterbourne Drive Road shall be installed by the developer and located within an easement dedicated to the City and shall be maintained by the Homeowner's Association.
 11. This section of the Communities of Glenross Subdivision is in the Delaware South New Community Authority, subject to the single family lot transportation fee in effect for the Glenross Golf Club at the time of building permit issuance and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling units.
 12. Eagle Walk Drive shall be renamed to Winterbourne Drive.
 13. Wolf Crest Road shall be renamed to Solstice Road.
 14. All signage shall achieve compliance with the graphics and signage requirements in the development text and the previously approved wayfinding system and plan for the community.
 15. The construction drawings of Section 11 shall not be approved until the widening of Cheshire Road begins.

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: _____, 2017

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 20

DATE: 06/12/2017

ORDINANCE NO: 17-45

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR BELMONT PLACE SECTIONS 4 AND 5 FOR 72 SINGLE FAMILY LOTS ON APPROXIMATELY 21.5 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP, NEVILLE LANE AND SQUAREGAITER LANE.

BACKGROUND

See attached report

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1129.04 Preliminary Development Plan requirements of the zoning code.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on June 7, 2017.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)

See attached

ORDINANCE NO. 17-45

AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR BELMONT PLACE SECTIONS 4 AND 5 FOR 72 SINGLE FAMILY LOTS ON APPROXIMATELY 21.5 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP, NEVILLE LANE AND SQUAREGAITER LANE.

WHEREAS, the Planning Commission at its meeting of June 7, 2017 recommended approval of a Preliminary Development Plan for Glenn Road Capital LLC., for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane (PC 2017-1040).

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

SECTION 1. That the Preliminary Development Plan for Glenn Road Capital LLC., for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final 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. The subject application pertains to Sections 4 and 5 of Sub Area B only and any future development to Sub-Area A shall require Preliminary and Final Development Plan approval at a minimum.
3. Crownover Way shall be extended north and west to Glenn Parkway when Sub-Area A is developed.
4. These sections of the Belmont Place Subdivision shall be placed in the Delaware South New Community Authority prior to issuance of building permits, is located within the Evans Residential TIF district and is

subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling unit.

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: _____, 2017

YEAS___NAYS___
ABSTAIN ___

ATTEST:

CITY CLERK

MAYOR



PLANNING COMMISSION / STAFF REPORT

CASE NUMBER: 2017-1040-1043

REQUEST: Multiple Requests

PROJECT: Belmont Place – Sections 4 & 5

MEETING DATE: June 7, 2017

APPLICANT/OWNER

Glenn Road Capital LLC
6689 Dublin Center Drive
Dublin, Ohio 43017

REQUEST

2017-1040: A request by Glenn Road Capital LLC., for approval of a Preliminary Development Plan for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane.

2017-1041: A request by Glenn Road Capital LLC., for approval of a Final Development Plan for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane.

2017-1042: A request by Glenn Road Capital LLC., for approval of a Preliminary Subdivision Plat for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane.

2017-1043: A request by Glenn Road Capital LLC., for approval of a Final Subdivision Plat for Belmont Place Section 4 for 34 single family lots on 10.426 acres on property zoned R- PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop and Squaregaiter Lane.

PROPERTY LOCATION & DESCRIPTION

The property is located on the east side of Glenn Parkway and north of Peachblow Road. The zoning of the subject property, which is in Sub-Area B per the May 2009 rezoning, is R-3 PMU. The surrounding zoning to the east and south is Berlin Township Farm Residential Zoning, to the west is B-4 and R-6 PMU (General Business District and Multi-Family Residential with a Planned Mixed Use Overlay District) with text limitations, and to the north is PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District). Sub Area B in the rezoning contained 47 acres while the proposed development in Sections 1-5 contains 53 acres (an increase of 6 acres). Sections 1-3 site work has been completed with several houses built with more to be constructed. The remainder of the property is vacant farmland without trees except for along the northern and eastern property boundaries. In addition, the subject development is located within the Delaware South New Community Authority and Evans Residential TIF District.

BACKGROUND/PROPOSAL

On May 11, 2009 City Council approved Ordinance's 08-112 and 08-113 which approved a Conditional Use Permit and Rezoning adding a PMU Overlay District (Planned Mixed Use District) on the subject 109 acres. The PMU was divided into Sub Areas A & B which contained 62 and 47 acres respectively (now approximately 56 and 53 acres respectively). Sub Area A permits residential, office, retail services, communities facilities and recreational/open space uses while Sub Area B permits residential, office, community facilities and recreational/open space uses.

In December 2013, Planning Commission and City Council approved Preliminary Development Plans and Preliminary Subdivision Plats (Ordinances 13-76 & 13-77) for Sections 1-3 which contained 74 single family lots on approximately 31.5 acres which also included a concept plan of today's Section 4 and 5. Then in March 2014, Planning Commission and City Council approved Final Development Plans for Sections 1-3 (Ordinance 14-16) and Final Subdivision Plat for Section 1 (Ordinance 14-17). Finally in April 2016, Planning Commission and City Council approved Final Subdivision Plats for Sections 2 and 3 (Ordinances 16-30 & 16-31 respectively).

Now the applicant is proposing to develop Sections 4 and 5 which contain the remaining 21.5 acres of Sub-Area B with 72 single family lots which is located just north of Sections 1-3. The developer is requesting Preliminary Development Plan, Preliminary Subdivision Plat and Final Development Plan approval for Sections 4 and 5 and Final Subdivision Plat approval for Section 4.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN AMENDMENT:** The Comprehensive Plan Future Land Use Map recommends Mixed Use future land use for this and the surrounding properties. The existing zoning complies with this mixed land use recommendation by mixing commercial, office, and residential uses along with the proposed mix of residential densities and unit types in this sub-area. Therefore, the proposed single family subdivision would achieve compliance with the land use plan.
- **ZONING:** As mentioned above, the subject site is zoned R-3 PMU (One Family Residential District with Planned Mixed Use Overlay District) with text limitations. From a procedural perspective, a Preliminary Development Plan, Final Development Plan, Preliminary Subdivision Plat and Final Subdivision Plat for Sections 4 and 5 would require Planning Commission and City Council approval.
- **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 a technical review by the Engineering Department once a complete plan set is submitted for review.
- **UTILITIES:** Both water and sewer utilities would be public and would be extended into Sections 4 and 5 of the subject development. Also, the development would have to comply with the current storm water requirements. The subject development is located in the South East Highland Sanitary Sewer District which requires an additional capacity charge of \$3,200 per dwelling unit.
- **ROADS AND ACCESS:** Sections 4 and 5 would be accessed from existing Bret's Lane (constructed in Sections 1-3) via Crownover Way from Peachblow Road. In Sections 4 and 5, McNamara Loop would be extended north from Brets Lane forming the eastern, western and northern streets of the subdivision. Neville Lane and Squaregaiter Lane extend north from Bret's Lane bisecting McNamara Loop. Ultimately Crownover Way would be extended north and west to Glenn Parkway when Sub-Area A is developed. All the streets would be public and would have to comply with the minimum engineering standards.
- **SITE LAYOUT:** The final two sections in Sub-Area B encompasses 21.5 acres and consists of 72 single family lots which are located on the northern portion of the development and is a natural extension of Sections 1, 2 and 3. Specifically Section 4 contains 34 single family lots on 10.426 acres while Section 5 contains 38 single family lots on 11.074 acres.

Section 4 is located along the northeastern portion of the site and is accessed by McNamara Loop and Squaregaiter Lane from existing Brets Lane. A 0.691 acre open space referred to as Reserve "F" is located on the northern portion of McNamara Loop and a 0.417 acre open space referred as Reserve "D" is located along the eastern boundary of the easternmost lots.

Section 5 is located along the northwestern portion of the site and is accessed by McNamara Loop and Neville Lane from Brets Lane. Reserve "E" is located along the western portion of the development to provide a buffer to the future Crownover Way extension that would be required when Sub-Area A is developed.

The approved development text has the following single family lot requirements: 8,125 square foot minimum lot, 65 foot minimum lot width, 125 foot minimum lot depth, 30 foot front yard setback, 8 foot side yard setback; 30 foot rear yard setback, 1,500 square foot minimum house size and 25 foot building and pavement minimum perimeter setback. In addition, the corner lots would need to be oversized by 30% (85 foot wide) to comply with the current zoning code. Sections 4 and 5 achieve compliance with all the above lot requirements.
- **DESIGN** The houses would not only have to meet the minimum standards of the Residential Development Design Criteria and Performance Standards in Chapter 1171 but also the more restrictive residential architectural standards in the approved development text. Some of the upgrades include: 1.) At least 50% of the front elevation of all homes shall consist of approved natural materials as defined in the text (stucco is not considered a natural material); 2.) Upgraded garage door standards for doors that face a public street; 3.) No blank walls; 4.) The same model of home or the same exterior color of the home shall not be placed on adjacent lots and shall not be placed on facing lots.

- **OPEN SPACE & PARKLANDS** The Preliminary Development Plan for Sections 4 and 5 identifies 2.387 acres of open space in three reserves (Reserve D – 0.417 acres, Reserve F - 0.691 acres and Reserve E - 1.28 acres in Sections 4 and 5 respectively) and should be the responsibility of the Homeowner’s Association. Reserve “D” is a storm water easement while Reserve “F” would be a pocket park in Section 4 with an open play field, an integral play area with play structures with a bench and a sidewalk connecting to the McNamara Loop sidewalk. There would be landscaping adjacent to the single family lots to the south. Reserve “E” would contain mounding and landscaping to buffer the future Crownover Way extension that would be required when Sub-Area A is developed from the single family lots to the east in Section 5. From a “macro” perspective, the developer in Sections 1-3 provided 7.92 acres of open space and parkland for the subdivision along with extending a bike path along Peachblow Road.
- **LANDSCAPING PLAN:** The applicant has submitted a comprehensive landscaping plan that includes street trees, landscaping in the pocket park in Reserve “E” and perimeter landscaping along the western boundary in Reserve “F”. To be consistent with Section 1, a minimum 3 foot high mound with landscaping adjacent to the future Crownover Way extension that would be required when Sub-Area A is developed. The evergreen trees shall be a minimum 4 foot high at installation and the deciduous trees shall be a minimum 1.75 inch caliper. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowners Association. It is imperative that the Applicant coordinate the landscaping plan and street tree plan with the engineering site development plan so that the landscaping does not impeded visibility at intersections or the visibility of any traffic control signs. The Shade Tree Commission would have to review and approve the aforementioned plans.
- **TREE REMOVAL & REPLACEMENT:** Because the remainder of the site is essentially open farmland, the only trees on the site are located on the northern and eastern property lines and only a minimal amount if any would be removed with the proposed development. Until a final grading plan is approved, the exact numbers of trees removed (if any) would not be determined especially along the northern and eastern property lines. Therefore, any tree replacement calculations would have to occur during final plat approvals for each section.
- **PEDESTRIAN CONNECTIVITY:** Sidewalks would be required on all public streets in Sections 4 and 5. Also, a bike path was constructed along Peachblow Road and stubs into the property to the east with the development of Section 1.
- **LIGHTING PLAN.** The lighting plans for Sections 4 and 5 were approved by the Chief Building Official on May 17, 2017.

STAFF RECOMMENDATION – (2017-1040 PRELIMINARY DEVELOPMENT PLAN)

Staff recommends approval of request by Glenn Road Capital LLC., of a Preliminary Development Plan for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane, with following conditions that:

1. The Applicant needs to obtain final 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. The subject application pertains to Sections 4 and 5 of Sub Area B only and any future development to Sub-Area A shall require Preliminary and Final Development Plan approval at a minimum.
3. Crownover Way shall be extended north and west to Glenn Parkway when Sub-Area A is developed.
4. These sections of the Belmont Place Subdivision shall be placed in the Delaware South New Community Authority prior to issuance of building permits, is located within the Evans Residential TIF district and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling unit.

STAFF RECOMMENDATION – (2017-1041 FINAL DEVELOPMENT PLAN)

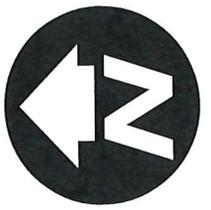
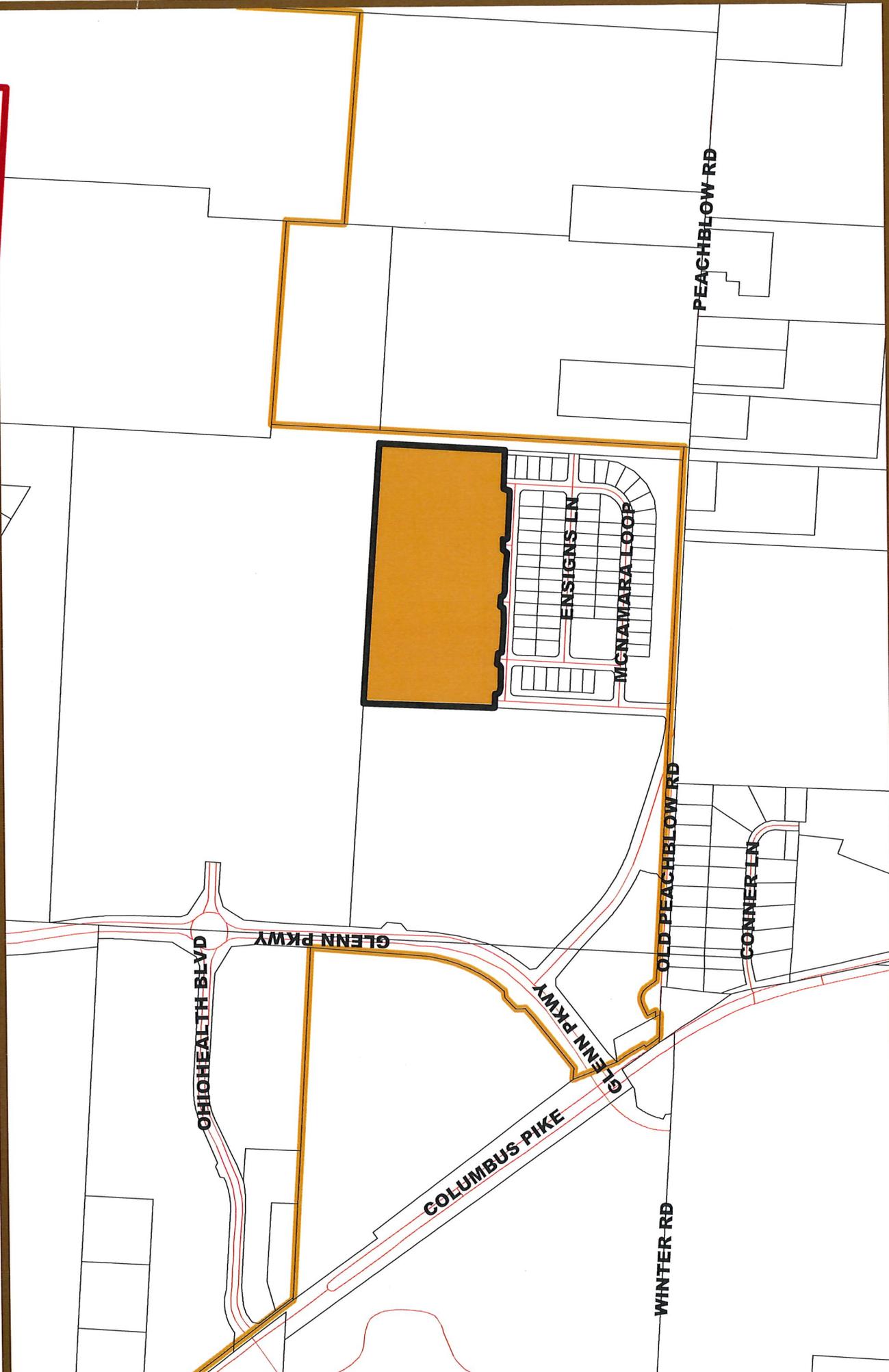
Staff recommends approval of request by Glenn Road Capital LLC., for approval of a Final Development Plan for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane, with following conditions that:

1. The Applicant needs to obtain final 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. The subject application pertains to Sections 4 and 5 of Sub Area B only and any future development to Sub-Area A shall require Preliminary and Final Development Plan approval at a minimum.
3. Crownover Way shall be extended north and west to Glenn Parkway when Sub-Area A is developed.
4. These sections of the Belmont Place Subdivision shall be placed in the Delaware South New Community Authority prior to issuance of building permits, is located within the Evans Residential TIF district and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling unit.

STAFF RECOMMENDATION – (2017-1042 PRELIMINARY SUBDIVISION PLAT)

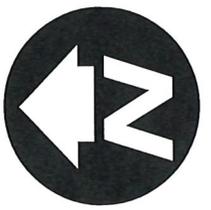
Staff recommends approval of a request by Glenn Road Capital LLC., of a Preliminary Subdivision Plat for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane, with the following conditions that:

1. The Applicant needs to obtain final 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. The off-site stormwater improvements shall comply with the minimum City and County regulations.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
5. All homes shall have basements which shall have gravity sewer to the lowest elevation to allow for basement bathrooms and fixtures by gravity connection only. Hung sewers, grinder pumps and the like shall not be permitted.
6. The proposed pocket park in Reserve "E" shall be programmed with play equipment, etc.(as submitted), prior to approval of the final plat in Section 4 and shall be maintained by the Homeowner's Association with an easement dedicated to the City for public use.
7. A minimum 3 foot high mound with landscaping shall be located in Reserve "F" of Section 5 between the future extension of Crownover Way and rear of the adjacent single family lots to the east. The evergreen trees shall be a minimum 4 foot high at installation and the deciduous trees shall be a minimum 1.75 inch caliper. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
8. A street tree plan shall be submitted and approved by the Shade Tree Commission.
9. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
10. These sections of the Belmont Place Subdivision shall be placed in the Delaware South New Community Authority prior to issuance of building permits, is located within the Evans Residential TIF district and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling unit.



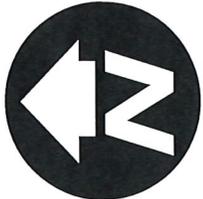
2017-1040-1043
 Preliminary Development Plan, Final Development Plan,
 Preliminary Subdivision Plat & Final Subdivision Plat
 Belmont Place - Sections 4 & 5
 Location Map





2017-1040-1043
 Preliminary Development Plan, Final Development Plan,
 Preliminary Subdivision Plat & Final Subdivision Plat
 Belmont Place - Sections 4 & 5
 Zoning Map

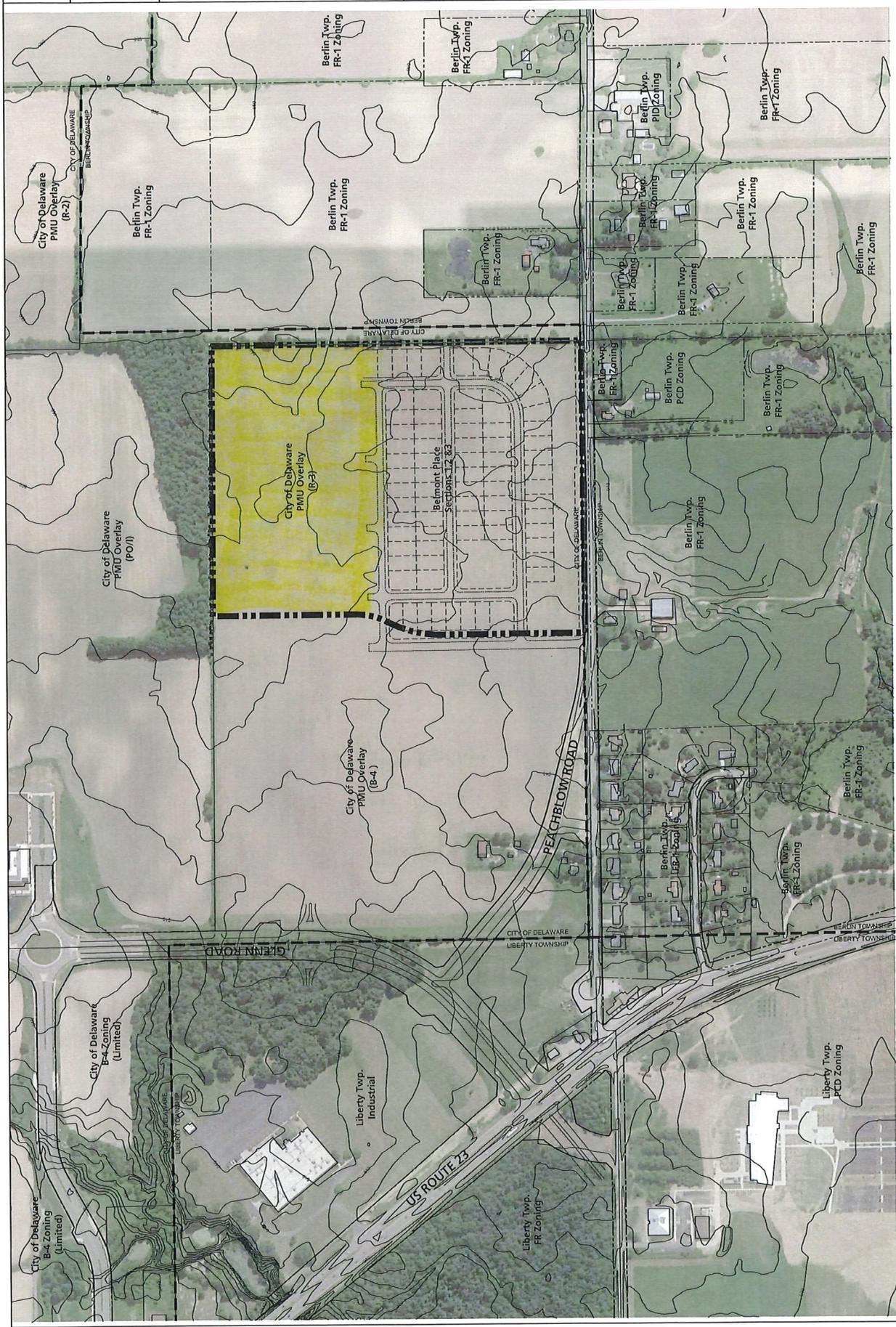




2017-1040-1043
 Preliminary Development Plan, Final Development Plan,
 Preliminary Subdivision Plat & Final Subdivision Plat
 Belmont Place - Sections 4 & 5
 Aerial (2016)



NO.	DATE	REVISIONS

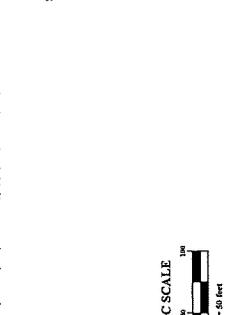
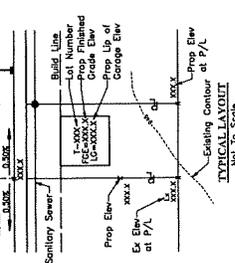
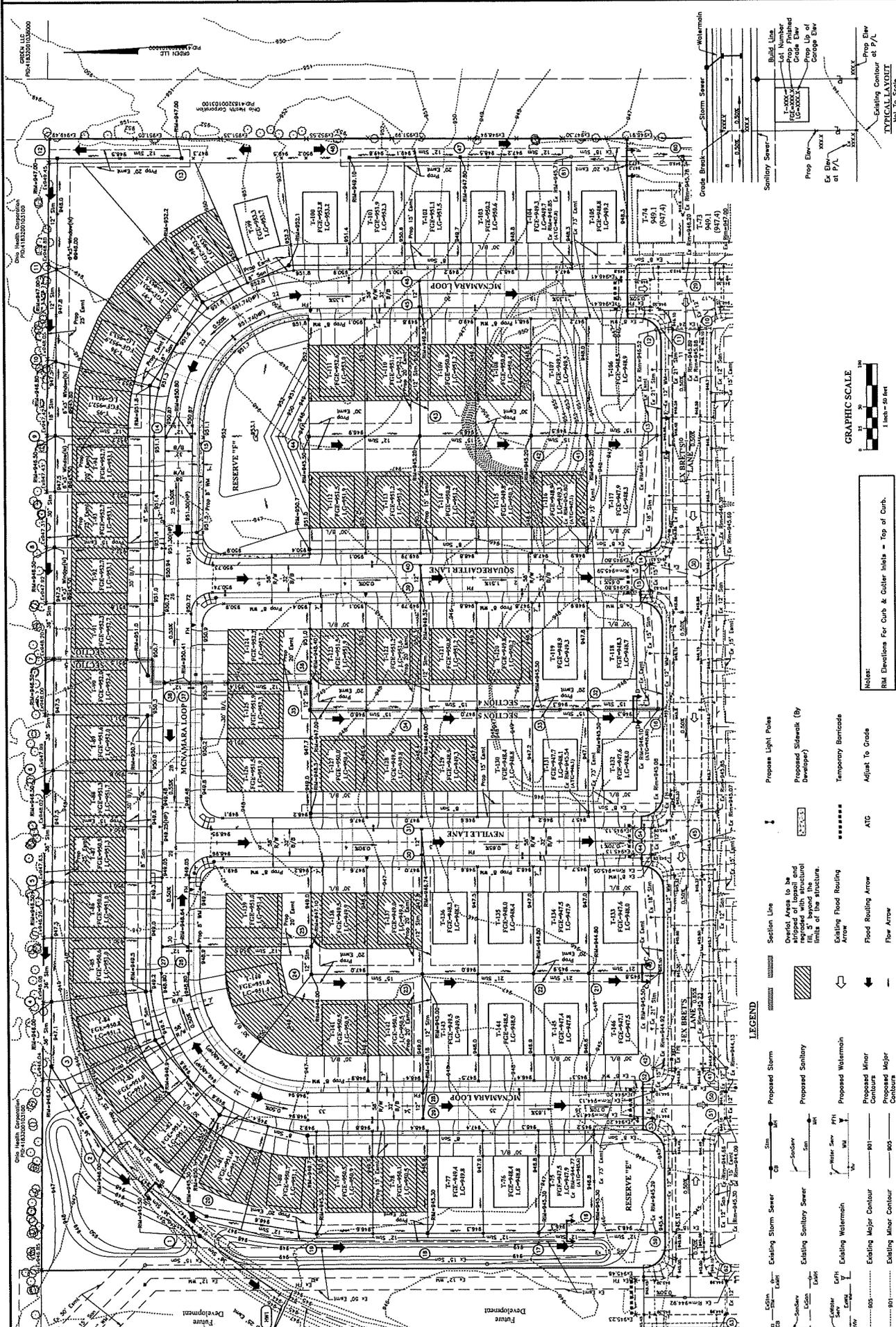


EXISTING CONDITIONS PLAN

DATE	REVISIONS

STAVROFF INTERESTS, LTD.

EMHT
 ENGINEERING, ARCHITECTURE & DESIGN
 1000 WEST 10TH AVENUE, SUITE 1000
 DENVER, COLORADO 80202
 PHONE: (303) 733-1100
 FAX: (303) 733-1101
 WWW.EMHT.COM



Notes:
 RM Elevations For Curb & Gutter inlets = Top of Curb.

LEGEND

	Existing Storm Sewer		Proposed Storm Sewer		Section Line		Proposed Light Pole
	Existing Sanitary Sewer		Proposed Sanitary Sewer		Vertical Areas to be Excavated to be replaced with structural fill, 3' beyond the existing limits of the structure.		Proposed Sidewalk (By Developer)
	Existing Watermain		Proposed Watermain		Existing Flood Routing Arrow		Temporary Barricade
	Existing Major Contour		Proposed Major Contour		Flood Routing Arrow		Adjust To Grade
	Existing Minor Contour		Proposed Minor Contour		Flow Arrow		ATC

*Combined
Preliminary Development Plan/Final Development Plan
for*

BELMONT PLACE – SECTIONS 4 & 5

DELAWARE, OHIO

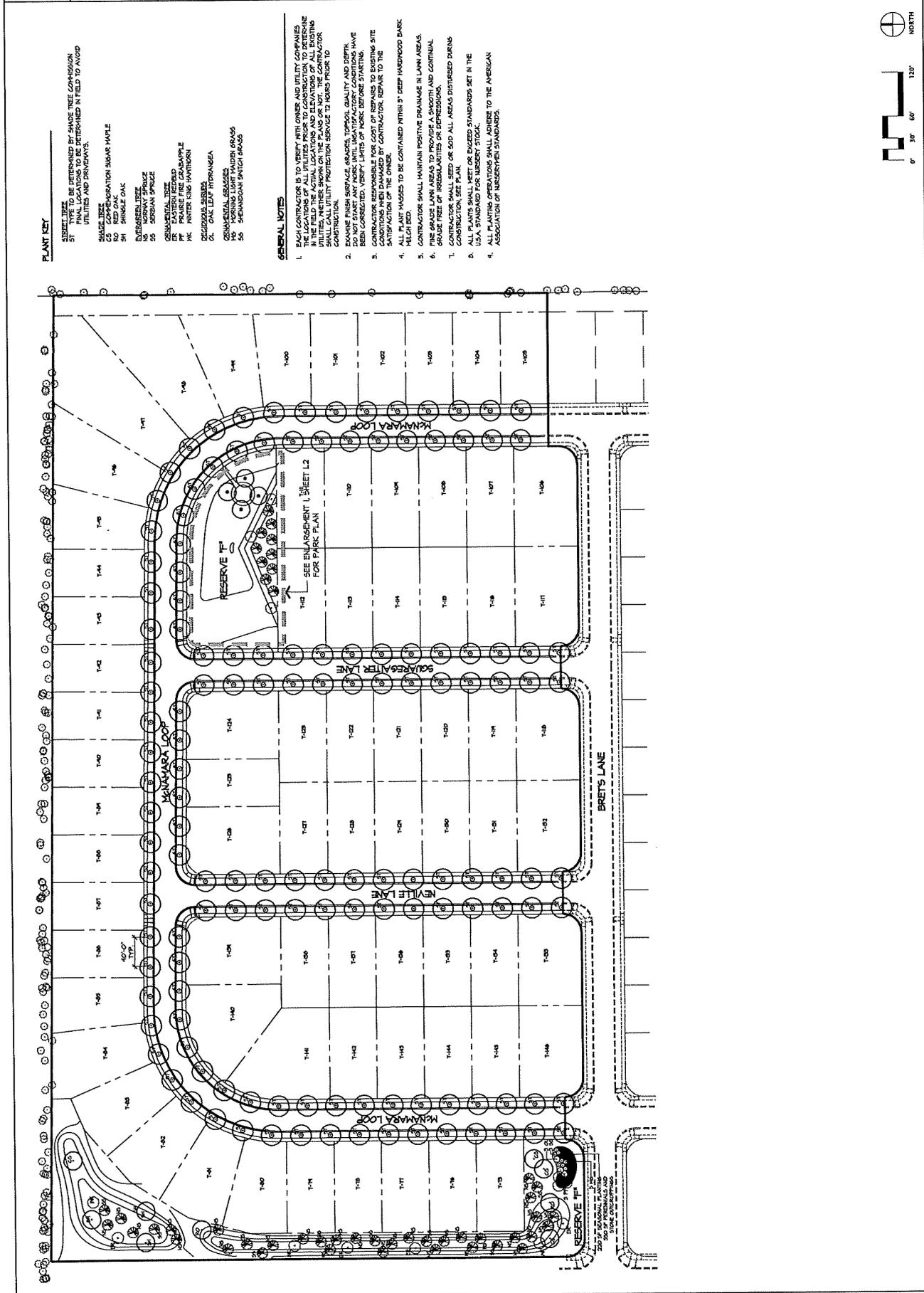
LANDSCAPE PLAN

PREPARED FOR:
Glenn Road Capital, LLC
6689 Dublin Center Drive
Dublin, OH 43017

May 3, 2017

LANDSCAPE ARCHITECT

THE EDGE GROUP
LANDSCAPE ARCHITECTURE
330 West Spring Street, Suite 250
Columbus, OH 43215
P 614-486-3343 F 614-486-3344

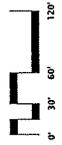


PLANT KEY

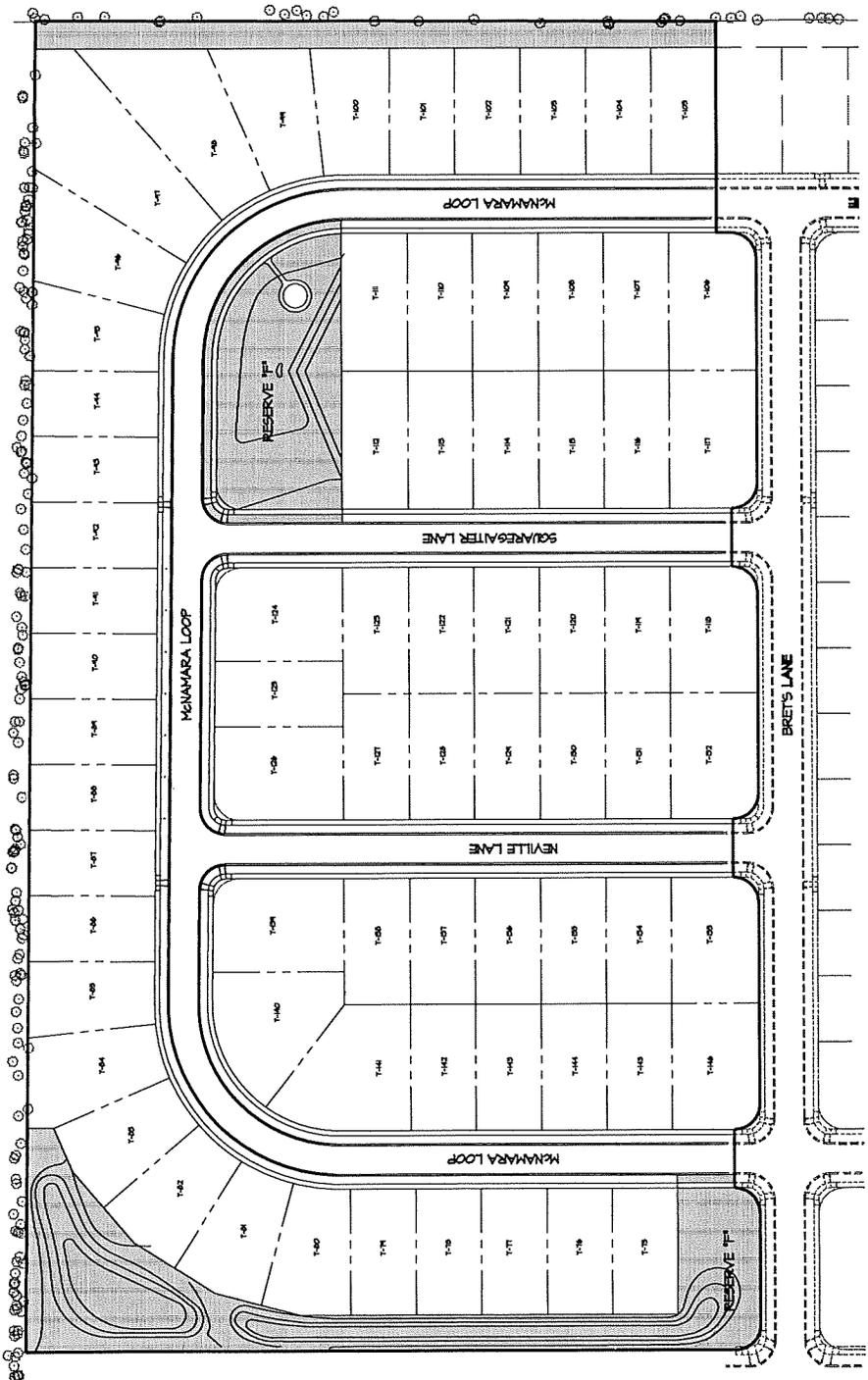
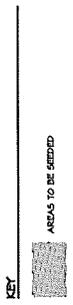
- STREET TREE**
 ST TYPE TO BE DETERMINED BY SHADY TREE COMMISSION. PLANT SPECIES TO BE DETERMINED IN FIELD TO AVOID UTILITIES AND DRIZZLEWAYS.
- SHADE TREE**
 25 COPPERATION SWAAR MAPLE
 30 RED OAK
 31 SHINGLE OAK
- EMERSON TREE**
 25 COPPERATION SWAAR MAPLE
 30 RED OAK
 31 SHINGLE OAK
- ORNAIMENTAL TREE**
 ER EASTERN REDBUD
 PR PRINCE OF WELLS HAWTHORN
 PR PRINCE OF WELLS HAWTHORN
 OZ OZ OAK LEAF PRUNELLA
 OZ OZ OAK LEAF PRUNELLA
- ORNAIMENTAL GRASS**
 100 HORNS LIGHT FAUCON GRASS
 50 SHREWDIBOND SWITCH GRASS

GENERAL NOTES

- EACH CONTRACTOR IS TO VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATION OF ALL UTILITIES AND ELEVATIONS OF ALL EXISTING UTILITIES. METERS SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. UTILITY PROTECTION SERVICE IS TO BE PROVIDED BY THE CONTRACTOR.
- EXAMINE FINISH SURFACE GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND PLANTS DAMAGED BY CONTRACTOR. REPAIR TO THE SATISFACTION OF THE OWNER.
- ALL PLANT MATERIALS TO BE CONTAINED WITHIN 3" DEEP HARDWOOD BARK MULCH BED.
- CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN LAWN AREAS.
- FINISH GRADE LAWN AREAS TO PROVIDE A SMOOTH AND CONTINUOUS SURFACE. CONTRACTOR SHALL VERIFY THE FINISH GRADE PRIOR TO CONSTRUCTION. USE PLAN.
- CONTRACTOR SHALL SEED OR SOG ALL AREAS DISTURBED DURING CONSTRUCTION. SEE PLAN.
- ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE U.S.A. STANDARD FOR NURSERY STOCK.
- ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.



- GENERAL NOTES**
1. EACH CONTRACTOR IS TO VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. TO DETERMINE THE ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES, CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICE 2 HOURS PRIOR TO CONSTRUCTION.
 2. EXISTING FINISH SURFACE GRADES, TOPSOIL QUALITY AND DEPTH, SHALL BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION. ANY DEFICIENCIES SHALL BE CORRECTED PRIOR TO BEING COVERED. VERIFY LIMITS OF WORK BEFORE STARTING.
 3. CONTRACTOR RESPONSIBLE FOR COST OF REPAIRS TO EXISTING SITE CONDITIONS WHEN DAMAGED BY CONTRACTOR. REPAIR TO THE SATISFACTION OF THE OWNER.
 4. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN LAWN AREAS.
 5. CONTRACTOR SHALL MAINTAIN PROPER SLOPES, SHOOTS, AND CONTROLS GRADE FREE OF HAZARDOUS MATERIALS OR DEPRESSIONS.
 6. CONTRACTOR SHALL SEED ALL AREAS DISTURBED DURING CONSTRUCTION. SEE PLAN.





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



Project # _____

Case # 2017-1040 PDP 1825
2017-1041 FDP 2075

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 (1032) |
| <input type="checkbox"/> Amended Final Subdivision Plat | <input checked="" type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley 2017-1042 PSP |
| <input type="checkbox"/> Amended Preliminary Development Plan | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement 7951 |
| <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 | <input type="checkbox"/> <u>Board of Zoning Appeals</u> 2017-1043 |
| <input checked="" type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement | <input type="checkbox"/> Appeal Administrative Decision or Interpretation 4190 |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Dev Plan Extension | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input type="checkbox"/> Rezoning | |
| <input type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Belmont Place Phases 4 & 5 Address 223 Peachblow Road

Acreage +/- 21.5 Square Footage N/A Number of Lots 72 Number of Units 72

Zoning District/Land Use PMU-R3 Proposed Zoning/Land Use PMU/SF Parcel # 41833001032000

Applicant Name Glenn Road Capital, LLC Contact Person Kevin McCauley

Applicant Address 6689 Dublin Center Drive, Dublin, Ohio 43017

Phone 614-764-9981 Fax _____ E-mail kevin@stavroff.com

Owner Name Glenn Road Capital, LLC Contact Person Kevin McCauley

Owner Address 6689 Dublin Center Drive, Dublin, Ohio 43017

Phone 614-764-9981 Fax _____ E-mail kevin@stavroff.com

Engineer/Architect/Attorney Edge Contact Person Greg Chillog

Address 330 West Spring Street, Columbus, Ohio 43215

Phone 614-486-3343 Fax _____ E-mail gchillog@edgela.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.

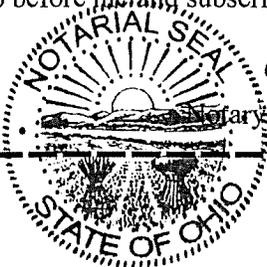
[Signature]
Owner Signature

Kevin McCauley - Authorized Agent Glenn Road Capital, LLC
Owner Printed Name

[Signature]
Agent Signature

Kevin McCauley - Authorized Agent Glenn Road Capital, LLC
Agent Printed Name

Sworn to before me and subscribed in my presence this 2nd day of May, 2017



CRISTINA E. DIONNE
NOTARY PUBLIC
FOR THE
STATE OF OHIO
My Commission Expires
November 28, 2021

[Signature]
Notary Public



FACT SHEET

AGENDA ITEM NO: 21

DATE: 06/12/2017

ORDINANCE NO: 17-46

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A FINAL DEVELOPMENT PLAN FOR BELMONT PLACE SECTIONS 4 AND 5 FOR 72 SINGLE FAMILY LOTS ON APPROXIMATELY 21.5 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP, NEVILLE LANE AND SQUAREGATER LANE.

BACKGROUND

See attached report

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1129.05 Final Development Plan requirements of the zoning code.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on June 7, 2017.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)

See attached

ORDINANCE NO. 17-46

AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A FINAL DEVELOPMENT PLAN FOR BELMONT PLACE SECTIONS 4 AND 5 FOR 72 SINGLE FAMILY LOTS ON APPROXIMATELY 21.5 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP, NEVILLE LANE AND SQUAREGAITER LANE.

WHEREAS, the Planning Commission at its meeting of June 7, 2017 recommended approval of a Final Development Plan for Glenn Road Capital LLC., for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane (PC 2017-1041).

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

SECTION 1. That the Final Development Plan for Glenn Road Capital LLC., for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final 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. The subject application pertains to Sections 4 and 5 of Sub Area B only and any future development to Sub-Area A shall require Preliminary and Final Development Plan approval at a minimum.
3. Crownover Way shall be extended north and west to Glenn Parkway when Sub-Area A is developed.
4. These sections of the Belmont Place Subdivision shall be placed in the Delaware South New Community Authority prior to issuance of building permits, is located within the Evans Residential TIF district and is

subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling unit.

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: _____, 2017

YEAS___NAYS___
ABSTAIN ___

ATTEST:

CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 22

DATE: 06/12/2017

ORDINANCE NO: 17-47

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A PRELIMINARY SUBDIVISION PLAT FOR BELMONT PLACE SECTIONS 4 AND 5 FOR 72 SINGLE FAMILY LOTS ON APPROXIMATELY 21.5 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP, NEVILLE LANE AND SQUAREGAITER LANE.

BACKGROUND

See attached report

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1111.03 Preliminary Plat requirements of the Subdivision Regulations.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on June 7, 2017.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)

See attached

ORDINANCE NO. 17-47

AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A PRELIMINARY SUBDIVISION PLAT FOR BELMONT PLACE SECTIONS 4 AND 5 FOR 72 SINGLE FAMILY LOTS ON APPROXIMATELY 21.5 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP, NEVILLE LANE AND SQUAREGAITER LANE.

WHEREAS, the Planning Commission at its meeting of June 7, 2017 recommended approval of a Preliminary Subdivision Plat for Glenn Road Capital LLC., for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane (PC 2017-1042).

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

SECTION 1. That the Preliminary Subdivision Plat for Glenn Road Capital LLC., for Belmont Place Sections 4 and 5 for 72 single family lots on approximately 21.5 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop, Neville Lane and Squaregaiter Lane, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final 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. The off-site stormwater improvements shall comply with the minimum City and County regulations.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
5. All homes shall have basements which shall have gravity sewer to the lowest elevation to allow for basement bathrooms and fixtures by

gravity connection only. Hung sewers, grinder pumps and the like shall not be permitted.

- 6. The proposed pocket park in Reserve "E" shall be programmed with play equipment, etc.(as submitted) per the Parks and Natural Resource Director, prior to approval of the final plat in Section 4 and shall be maintained by the Homeowner's Association with an easement dedicated to the City for public use.
- 7. A minimum 3 foot high mound with landscaping shall be located in Reserve "F" of Section 5 between the future extension of Crownover Way and rear of the adjacent single family lots to the east. The evergreen trees shall be a minimum 4 foot high at installation and the deciduous trees shall be a minimum 1.75 inch caliper. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
- 8. A street tree plan shall be submitted and approved by the Shade Tree Commission.
- 9. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
- 10. These sections of the Belmont Place Subdivision shall be placed in the Delaware South New Community Authority prior to issuance of building permits, is located within the Evans Residential TIF district and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling unit.

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: _____, 2017

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 23

DATE: 06/12/2017

ORDINANCE NO: 17-48

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A FINAL SUBDIVISION PLAT FOR BELMONT PLACE SECTION 4 FOR 34 SINGLE FAMILY LOTS ON APPROXIMATELY 10.426 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP AND SQUAREGAITER LANE.

BACKGROUND

See attached report

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1111.05 Final Plat requirements of the Subdivision Regulations.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on June 7, 2017.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)

See attached

ORDINANCE NO. 17-48

AN ORDINANCE FOR GLENN ROAD CAPITAL LLC., APPROVING A FINAL SUBDIVISION PLAT FOR BELMONT PLACE SECTION 4 FOR 34 SINGLE FAMILY LOTS ON APPROXIMATELY 10.426 ACRES ON PROPERTY ZONED R-3 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON MCNAMARA LOOP AND SQUAREGAITER LANE.

WHEREAS, the Planning Commission at its meeting of June 7, 2017 recommended approval of a Final Subdivision Plat for Glenn Road Capital LLC., for Belmont Place Section 4 for 34 single family lots on approximately 10.426 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop and Squaregaiter Lane (PC 2017-1043).

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

SECTION 1. That the Final Subdivision Plat for Glenn Road Capital LLC., for Belmont Place Section 4 for 34 single family lots on approximately 10.426 acres on property zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) and located on McNamara Loop and Squaregaiter Lane, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final 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. The off-site storm water improvements shall comply with the minimum City and County regulations.
3. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
4. The single family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
5. All homes shall have basements which shall have gravity sewer to the lowest elevation to allow for basement bathrooms and fixtures by

gravity connection only. Hung sewers, grinder pumps and the like shall not be permitted.

- 6. The proposed pocket park in Reserve "E" shall be programmed with play equipment, etc.(as submitted) per the Parks and Natural Resource Director, prior to approval of the final plat in Section 4 and shall be maintained by the Homeowner's Association with an easement dedicated to the City for public use.
- 7. A minimum 3 foot high mound with landscaping shall be located in Reserve "F" of Section 5 between the future extension of Crownover Way and rear of the adjacent single family lots to the east. The evergreen trees shall be a minimum 4 foot high at installation and the deciduous trees shall be a minimum 1.75 inch caliper. The maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association. The subject plan shall be reviewed and approved by the Shade Tree Commission.
- 8. A street tree plan shall be submitted and approved by the Shade Tree Commission.
- 9. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
- 10. These sections of the Belmont Place Subdivision shall be placed in the Delaware South New Community Authority prior to issuance of building permits, is located within the Evans Residential TIF district and is subject to the South East Highland Sanitary Sewer additional capacity charge of \$3,200 per dwelling unit.

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: _____, 2017

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: June 12, 2017

1. **Calendar**

See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**

See Attached

3. **Bi-Weekly Meetings**

May 17

* Delaware County BOC-Visit with Foreign Government
Representatives

* OhioHealth Delaware Health Center Expansion Celebration

May 22

* Rotary

* Council

May 23

* ASHE Project of the Year Luncheon

May 24

* Delaware County Board of Commissioners

May 25

* Records Commission

May 30

* Jobs Ohio-Columbus 2020 Meeting

June 2

* First Friday in the Field-Airport

June 5

* Rotary

June 6

* 911 Board Meeting

* CoHatch

June 7

* Hayes Memorial Meeting

4. **Required Reading**
Fire Department April Report

June

2017

Sun

Mon

Tue

Wed

Thu

Fri

Sat

1

2

3

4

5

6

7

8

9

10

Civil Service
Commission
Canceled
Planning 7pm

11

12

13

14

15

16

17

Citizens Academy
Graduation 6:30
pm
Council 7pm

BZA 7pm

Dedication of
DiGenova Way-
YMCA 10:00 a.m.

18

19

20

21

22

23

24

Parks & Rec Bd,
7pm

Dedication of
Water Plant
Education Center
10:00 am

25

26

27

28

29

30

Council

Shade Tree, 7pm

HPC, 7pm

CONTRACT APPROVAL – May 22, 2017

VENDOR	EXPLANATION OF AGREEMENT	2017 AMOUNT	DEPARTMENT
Ohio Wesleyan University	EMS coverage during 2017 Ohio High School Athletic Lacrosse Championship Games	\$116.20/hr	Fire Department
MT Business Technologies, Inc.	Modification of existing MT service contract to include replacement copiers for Public Works and Prosecutors Office	\$13, 356.00	IT Department
Delaware Development Plan, Ltd	Delaware Fire Department training in houses set for demolition	\$ 0.00	Fire Department
Studio Graphique	Industrial Park Wayfinding Plan	\$5,500.00	Planning
Delaware County Sheriff Office	Intergovernmental Agreement Use of Vehicles	\$0.00	Police Department



Delaware Fire Department

April 2017 Monthly Report



PERFORMANCE REVIEW	2014	2015	2016	2017	April	Year-to-Date	% Year to Date	% of Budget	(+ / -)
	Actual	Actual	Actual	Budget	Actual	Actual	Budget	Completed	Projected for Year
Total number of incidents	5,173	5,380	5,891	5,988	462	1,896	31.66%	33.00%	-1.34%
Fire	101	126	107	98	19	38	38.78%	33.00%	5.78%
Rupture/Explosion	3	1	5	3	3	5	166.67%	33.00%	133.67%
EMS	4,047	4,254	4,658	4,785	337	1,474	30.80%	33.00%	-2.20%
Hazardous Conditions	124	135	150	151	14	58	38.41%	33.00%	5.41%
Service Calls	141	155	128	129	6	32	24.81%	33.00%	-8.19%
Good Intent	162	155	213	192	28	96	50.00%	33.00%	17.00%
False Calls	589	541	621	619	52	187	30.21%	33.00%	-2.79%
Severe Weather	0	1	3	4	1	1	25.00%	33.00%	-8.00%
Other	6	12	6	7	2	5	71.43%	33.00%	38.43%
Number of medical transports	2,586	2,742	2,836	2,900	206	903	31.14%	33.00%	-1.86%
Narcan Administration	55	43	64	64	5	15	23.44%	33.00%	-9.56%
Percent of priority calls w/ response within 6 min	68%	74%	71%	70%	73%	73%	70.00%	33.00%	3.00%
Percent working structure fires ERF of 15 FF within 12 minutes	78%	85%	100%	70%	100%	100%	142.86%	33.00%	70.00%
# Structure Fires	9	13	18	10	0	2	20.00%	33.00%	-13.00%
# Structure with personnel and Times	7	11	18	7	0	2	28.57%	33.00%	-4.43%
Number of commercial inspections conducted	1,473	1,365	1,345	1,450	192	724	49.93%	33.00%	16.93%
Number of plans reviewed within five days	100%	100%	100%	100%	100%	100%	100.00%	33.00%	100.00%
Number of fires greater than \$10,000	8	12	9	10	1	3	30.00%	33.00%	-3.00%
Number of fires of suspicious nature	5	6	3	4	0	0	0.00%	33.00%	-33.00%
Hours of Training	13,335	10,977	12,454	10,000	875	4,505	45.05%	33.00%	12.05%

Major Incidents

- April 5, N. Throughout City, Severe Thunderstorm
- April 15, Joy Ave., Structure Fire
- April 18, I-71, HazMat Incident
- April 25, E. William St., Gas Leak

Other Activities

- Station Tours
- Citizens Academy
- Honor Flight, Send off from Willowbrook
- YMCA-Safe Family Day
- J Gumbos – Ice Cream Contest
- Smoke Detector/Battery Installs

2010 Fire Levy Status

- Equipment - Continuing
 - Members of the committee attended the Pre-Construction meeting April 10-13. Truck was ordered in September and delivery is expected in October 2017.
 - Three new Paramedic trucks were placed in-service and are operating at all of our Fire Stations (February 2016).
 - Staff cars have been replaced in 2012-2016. This has included the implementation of retired police vehicles for station and inspector cars.
 - The new engine was delivered and placed in-service in April 2013.
 - The new paramedic truck was delivered and was placed in-service in January 2013.



Delaware Fire Department

April 2017 Monthly Report



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- The new ladder truck was delivered and was placed in-service in April 2012.
 - Personnel - Continuing
 - April 3, 2017 - FF Taylor Von Lohr completed his paramedic class and certification at Grant Medical center. Taylor graduated with honors and graduated at the top of his class.
 - April 2017 Agility Test and Interview – Candidates were tested and interviewed. % names will be added to the Civil Service List in May. Background checks will begin after the list is certified.
 - January 2017 Civil Service List – Backgrounds were completed and Interviews were held. 1 Full-time and 3 Part-time Firefighters received conditional employment offers. They are expected to start on May 31.
 - Firefighters Kehlmer and Whitley began full-time work in January 2017. These positions were filled due to resignations. FF Kehlmer and Whitley were previously Part-time Firefighters with our Department.
 - The total amount of new personnel hired since the new levy is 36. Some of these positions have filled open positions.
 - New Fire Station 304 - Continuing
 - Pre-Bid Meeting was held on April 18, 2017 with 3 groups wanting to design and build Fire Station 304. Submittals and presentations will be held on May 26, 2016.
 - Request for Qualifications for the design build construction was posted and were received on January 30.
 - October 24, took action to annex the St 304 property. Lot surveying took place for St 304.
 - Property was purchased in 2011 at 821 Cheshire Rd. The property was leased out and the lease moved out on November 30, 2013. In 2014, we plan to begin the analysis and plans for an anticipated groundbreaking in 2016.
 - The opening of this Station is dependent on the increased staffing. This will be accomplished through the use of Part-Time personnel to supplement the staffing. The Part-Time personnel will be backfilling the open positions caused by personnel scheduled leaves.
 - Fire Station 303 - Completed
 - On September 27, 2013 we began operation 24/7. The Fire Station was dedicated on October 19, 2013.



Delaware Fire Department

April 2017 Monthly Report



Council for Older Adults – Monthly Report on the Firehouse Coordinator



First in Response to Seniors

April 2017

Referrals		# new CSP-enrolled clients		Total Contacts (duplicated)		# individuals served during the month		# of unduplicated individuals served	
Month	YTD	Month	YTD	Month	YTD	Month	Average/Mo	New for Month	YTD
44	125	0	9	207	922	62	49.00	37	136

Referrals

Direct Referral		Delaware City FD		Orange Township FD		SP Staff	
Month	YTD	Month	YTD	Month	YTD	Month	YTD
31	64	2	23	0	0	4	16
Liberty Township FD		Delaware Co. EMS		client self ref.		Other	
Month	YTD	Month	YTD	Month	YTD	Month	YTD
6	17	0	0	1	4	0	1

*Other
DGHD Falls Coordinator

City of residence for those served

Delaware		Galena		Lewis Center		Westerville	
Month	YTD	Month	YTD	Month	YTD	Month	YTD
48	97	1	1			2	5
Powell		Sunbury		Ashley		*Other	
Month	YTD	Month	YTD	Month	YTD	Month	YTD
9	28	0	0	1	2	1	3

*Other
Dublin Ostrander

Additional Services

# services added		Meals/Nutritional Support		Emergency Response Unit		In-Home Support	
Month	YTD	Month	YTD	Month	YTD	Month	YTD
0	17	0	10	0	3	0	3
# individuals with new services		Incontinence Products		Durable Medical Equipment		*Other	
Month	YTD	Month	YTD	Month	YTD	Month	YTD
0	9	0	0	0	0	0	1

*Other
Nutritional Supplements

Community Events

4/29/2017	YMCA-Delaware	Healthy Kids Fair	40 contacts
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